



City of Harrisonburg, Virginia

Planning Commission Meeting

March 14, 2012

7:00 p.m.

Regular Meeting
409 South Main Street

- 1) Call to order, roll call, determination of quorum, and review/approval of minutes from the February 8, 2012 regular meeting.

- 2) New Business

Zoning Ordinance Amendments – Parking Lot Landscaping Ordinance

Public hearing to consider a request to modify several sections of the Zoning Ordinance. The amendments include: adding new parking lot landscaping regulations within Article G that would require, among other things, landscaping borders, landscaping islands, required vegetation planting, and landscaping plan submittals; to amend Section 10-3-11 to require the completion of, or the posting of an approved surety for, all required improvements prior to receiving a certificate of occupancy; to amend Section 10-3-17 to add a new subsection requiring the submission of details in the comprehensive site plan review that shows how landscaping requirements will be met; to add several definitions to Section 10-3-24 related to the parking lot landscaping regulations and to amend the existing definition of “parking lot;” to remove Section 10-3-25 (2), (3), (4), and (7) (c.) to delete a reference to the existing “parking lot” definition, to delete the existing landscaping regulations, and to delete a reference to the existing landscaping regulations, respectively; to amend Section 10-3-25 (12), (13), (14), (15), (16), (17), (18), (19), (20), and (27) to delete references made to the existing landscaping regulations; to amend Section 10-3-25 (21) to remove the permission to ask the Zoning Administrator or the Planning Commission for modifications to landscaping requirements for the following uses: manufacturing and industrial plants, research and wholesale stores, testing laboratories, assembly plants, warehouses or similar facilities; to amend Section 10-3-84 (7) to remove the distinction between public and private parking lots and to remove parking garages as a by-right use; to add a new subsection to Section 10-3-85 to add parking garages as a special use permit within the B-1 zoning district; and to add new subsections to Sections 10-3-56.3, 10-3-57.3, and 10-3-58.3 that adds parking lots and parking garages as uses permitted by-right within the R-6, R-7, and MX-U zoning districts, respectively.

- 3) Unfinished Business

- 4) Public Input

- 5) Report of secretary and committees

Proactive Zoning

- 6) Other Matters

Rockingham County Rezoning Along Port Republic Road

- 7) Adjournment

Staff will be available Monday April 9, 2012 at 4:30 p.m. for those interested in going on a field trip to view the sites for the April 11, 2012 agenda.

MINUTES OF HARRISONBURG PLANNING COMMISSION

February 8, 2012

The Harrisonburg Planning Commission held its regular meeting on Wednesday, February 8, 2012, at 7:00 p.m. in the City Council Chambers, 409 South Main Street.

Members present: MuAwia Da'Mes, Judith Dilts, Alan Finks, Deb Fitzgerald, and Bill Jones.

Members absent: Charles Chenault and Henry Way.

Also present: Stacy Turner, Director of Planning and Community Development; Adam Fletcher, City Planner; Alison Banks, Planner and Secretary.

Chairman Jones called the meeting to order and determined there was a quorum with five of seven members in attendance. He then asked if there were any corrections, comments or a motion regarding the minutes from the January 11th, 2012 Planning Commission meeting.

Dr. Dilts moved to approve the minutes from the January 11th Planning Commission meeting.

Mr. Finks seconded the motion.

Mrs. Fitzgerald abstained from voting because she was not in attendance at the meeting.

All voted in favor of approving the minutes. (4-0)

New Business

Special Use Permit – 883 Chicago Avenue (10-3-97 (9) Religious Use)

Chairman Jones read the request and asked staff to review.

Mrs. Banks said the Comprehensive Plan designates this area as Commercial. This designation states that these areas include uses for retail, office, wholesale, or service functions. These areas are generally found along the City's major travel corridors and in the Central Business District of the City.

The following land uses are located on and adjacent to the property:

- Site: Vacant mercantile building and accessory structures, zoned M-1
- North: Across Chicago Avenue, single-family homes, zoned R-1
- East: Vacant lot, zoned M-1
- South: Industrial uses, vacant lot, and non-conforming single-family home, zoned M-1
- West: City of Harrisonburg property and other industrial uses, zoned M-1

This is a request for a special use permit (SUP) per Section 10-3-97 (9) of the Zoning Ordinance to allow a religious use within the M-1, General Industrial District. If approved, The Church of God – Rayos De Esperanza intends to occupy a 4,800 +/- square foot, vacant building located on the site for their church services. The property is a 39,985 +/- square foot parcel that fronts along Chicago Avenue, at its intersection with Waterman Drive. The building would not provide housing facilities for the church.

The church has stated the congregation consists of approximately 50 people and they would provide seating for 60 persons. Based on the seating, 12 on-site parking spaces would be required. It appears the site is large enough to create new parking areas where necessary and there is an existing

open-ended, accessory building along the eastern property boundary which could be used for parking as well. Staff has pointed out to the applicants that the existing parking area located along Chicago Avenue is laid out such that vehicles must back into the public right-of-way and across the bike lane. Such parking does not conform to existing standards and, if approved, staff suggests conditioning the permit to not allow this parking as it currently functions. Staff would work closely with the applicant during the change of use process to ensure that all necessary parking and maneuvering requirements are met.

The applicant has been informed that if they receive approval of the requested SUP, they would need to apply for a change of use permit from the Building Division. This would require that all building code regulations be met for the proposed use and any other planned renovations.

Staff does not have any concerns with a religious use at this location. The Comprehensive Plan designates this corner of Chicago Avenue and Waterman Drive as Commercial and although zoned M-1, the industrial uses found along this corridor are not intensive enough that a church would not be compatible with the surrounding uses. Staff supports this application with the suggested condition that the existing off street parking along Chicago Avenue shall not operate in its current design and function.

Chairman Jones asked if there were any questions for staff.

Mr. Finks said I know that we are building sidewalks along Chicago Avenue in that area; will there be one on this side of the street?

Mrs. Banks replied no, the sidewalks would end at the intersection of Chicago Avenue and Rockingham Drive which is one block south.

Mr. Da'Mes said there are also plans for a round-a-bout at that intersection.

Mrs. Banks said yes, there are future plans for a round-a-bout; however, the proposed location of the round-a-bout is shifted a bit north towards the City owned property.

Mr. Fletcher said the current plans show the round-a-bout a bit north of the existing intersection. Therefore, this property potentially would not lose land.

Mr. Da'Mes asked whether consideration was given to not allowing entry and exiting onto Chicago Avenue, because of the amount of traffic and traffic flow in that location, and only allowing an entrance on Waterman Drive.

Mrs. Banks said traffic in this area was not a concern; the parking situation along Chicago Avenue was the real concern.

Mr. Fletcher said Public Works did not have any comments regarding the entrance. If any use went in this building, not just the church, staff would be telling them the exact same thing – the parking lot along Chicago Avenue cannot be used as it functions today.

Chairman Jones asked if there were any further questions. Hearing none, he opened the public hearing and asked if the applicant or applicant's representative would like to speak.

Mr. Dan Neher said he is here representing the applicants, Mr. and Mrs. Hillyard, who are present tonight. As well two members of the church are present if there are any questions. We certainly agree to abide by the conditions staff has proposed and we are here to answer any questions that you may have.

Chairman Jones asked if there were any questions for the applicants or their representative. Hearing none, he asked if there was anyone wishing to speak in favor of the request. Hearing none, he asked

if there was anyone wishing to speak in opposition of the request. Hearing none, he closed the public hearing and asked Planning Commission for discussion or a motion.

Dr. Dilts said in the letter from the applicant it states there are no future plans for growth and I am curious about that since churches generally want to grow.

Mrs. Banks said a member of the church or their representative may be better prepared to answer that question.

Chairman Jones re-opened the public hearing and asked if there was anyone with the applicant to answer the question.

Mr. Angel Echegoyin said he is the pastor of the church.

Dr. Dilts said your current congregation size is 50 and you only anticipate going to 60.

Mr. Echegoyin said yes that is correct. We do not have many established members and some may move, others stay, but the congregation stays between 50 and 60 persons.

Chairman Jones asked if there were any further questions. Hearing none, he closed the public hearing and asked Planning Commission for discussion.

Dr. Dilts asked staff if the building was large enough to handle 50 or 60 persons.

Mr. Fletcher replied to the best of our knowledge it is; but, we have not had a building inspector perform a walk-through.

Mrs. Banks said the applicants are currently working with an architect because their building plans for the change of use would need an architect's seal. The architect would establish the occupancy load for the building.

Dr. Dilts said if the congregation was to grow would there be enough land that there could be sufficient parking for the building?

Mrs. Banks replied I believe there is enough land for parking. However, if their church were to grow and more portable seats were brought in to accommodate the growth, there is not a mechanism that would bring them back to zoning so that we can ensure all the parking is met. We let them know the requirements and hopefully as they grow they would provide more parking on site.

Mr. Fletcher said if more space is needed for parking they could demolish the out buildings to make sufficient space. This parking requirement is an older regulation and most churches govern themselves when it comes to parking.

Chairman Jones said it appears to me that the parking issue along Chicago Avenue would be easy to rectify.

Mr. Finks moved to recommend approval of the request with the staff recommended condition.

Mrs. Fitzgerald seconded the motion.

Chairman Jones said there is a motion on the table and a second. He then asked for a voice vote on the motion.

All voted in favor of the motion to recommend approval with the one condition (5-0).

Chairman Jones said this will move forward to City Council on March 13th 2012.

Special Use Permit – 301 West Market Street (10-3-40 (7) Occupancy up to 4 persons)

Chairman Jones read the request and asked staff to review.

Mr. Fletcher said the Comprehensive Plan designates this area as Neighborhood Residential. This designation states that this type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. Infill development and redevelopment must be designed so as to be compatible with the existing character of the neighborhood. These are older neighborhoods, which can be characterized by large housing units on small lots.

The following land uses are located on and adjacent to the property:

- Site: Undeveloped lot, zoned R-2
- North: Across West Market Street, Graham Plastics, zoned M-1 and dwelling units and professional offices, zoned R-3
- East: Across Academy Street, duplex dwelling unit, zoned R-3
- South: Across undeveloped alley, single family dwelling, zoned R-2
- West: Detached single family structure with legally established boarding and rooming house, zoned R-2

The applicant is requesting a special use permit (SUP) per Section 10-3-40 (7) of the Zoning Ordinance to allow occupancy up to four persons within a single family detached dwelling that he plans to build on the R-2 zoned lot. The undeveloped property is located in the 300 block of West Market Street at its junction with Academy Street. If approved, one off-street parking space per tenant must be provided.

Before getting into the details of the request, occupancy restrictions of the R-2, Residential District should be clearly understood as there is often a misconception as to how they are regulated. The R-2 zoning district shares the same occupancy restrictions of the R-1, Single Family Residential District. Owner-occupied single family dwellings may include rental of space for occupancy by not more than two persons and nonowner-occupied single family dwellings may include rental of space for occupancy by not more than one person. The applicant noted he will not reside at the planned single family detached dwelling; therefore, by-right he could rent to an individual or a family (regardless of the number of individuals in the family) plus one other person.

The request in this application is similar to the occupancy permitted by-right in the R-3 zoning district, where dwelling units may be occupied by a family or not more than four persons. This occupancy is utilized by many of the student housing complexes in the City.

As shown in the submitted survey, the property is 8,768 square feet; therefore residentially, the lot has enough lot area to build only a single family detached dwelling (duplex structures require at least 11,000 square feet). The dimensions and the location of the lot allow for two relief mechanisms in the Zoning Ordinance. First, the lot is less than 60-feet in width; therefore interior side yard setbacks may be reduced to five feet. Secondly, Section 10-3-112 of the Zoning Ordinance specifies that corner lots shall provide a setback equal to the required front setback for all yards adjoining a public street—meaning a 30-foot setback shall be applied from both West Market Street and Academy Street. However, this section goes on to note that setback regulations shall not reduce the buildable width of a lot to less than 50 percent, thus the setback from Academy Street can be reduced to approximately 28 feet. The submitted house plans illustrate the house to be 28 feet in width. Staff has already expressed concern to the applicant about whether or not the planned house could fit in the buildable area. The applicant believes he can make the proper adjustments to accommodate a structure within the buildable width.

This neighborhood—bounded by West Market Street, South High Street, West Bruce Street, and South Dogwood Drive—includes a mix of residential units with single family homes, duplexes, and multi-family units. The neighborhood includes R-2 and R-3 zoned property; all parcels to the west of Academy Street are zoned R-2 and all parcels to the east of Academy Street are zoned R-3. There is also a mix of owner-occupied dwellings and nonowner-occupied, or rental, dwellings. The neighborhood, as bounded and described above and based upon the City's GIS information, may be divided at approximately 42.5% owner-occupied units and 57.5% rental units. One comes to this conclusion by analyzing the tax map number and designated address for the parcel and compares that data with the address to where the tax card is mailed. If the addresses match, then one could deduce the property is owner-occupied. (Staff, however, does know of instances where that method of analysis is inaccurate.) Understanding how the occupancy restrictions work for this area, there is no good way of knowing the exact levels of occupancy. If the R-2 properties have occupancy other than permitted by right, they are either non-conforming or illegal. It should be understood the Zoning Ordinance was amended in 1998 to require a SUP for occupancy to exceed the level permitted by-right. Before this time, occupancy in the R-2 and R-3 district was the same.

There are three R-2 properties in this neighborhood that staff is certain can have occupancy other than permitted by right. The first property is the adjacent dwelling to the west at 323 West Market Street. This property is classified as a boarding and rooming house and has been used as such since 1989 when R-2 zoned properties allowed boarding and rooming houses by-right. Today, boarding and rooming houses are permitted only in the R-3 and M-1 districts and only by SUP. The second property is a single family detached dwelling located at 375 West Bruce Street, which in 1999 received the same SUP being requested in this application. The third property is located at 433 West Market Street (one block to the west of the subject property), which in 2000 also received approval of the same SUP. This property includes a duplex with permission for three occupants in one unit and four occupants in the other unit.

The Comprehensive Plan designates this neighborhood as Neighborhood Residential, which means this type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. Further, infill development and redevelopment must be designed so as to be compatible with the existing character of the neighborhood. Given the mixed residential nature in this neighborhood, one *could* argue a multi-tenanted single family structure is compatible with the existing character of the neighborhood. Staff, however, does not promote the furthering of this use in this area of the City.

In addition to this area's Neighborhood Residential land use designation, which most closely relates to an R-2 zoning district, the Comprehensive Plan also designates this area within a Neighborhood Conservation Area. As specified in Chapter 4 of the Plan, such neighborhoods may: be rich in historic and cultural fabric; face challenges to reinvestment and rehabilitation; confront preservation issues; suffer from poorly maintained, deteriorating, or vacant homes and spot conversions of single family homes to apartments (often for students); contain older deteriorating apartment buildings; face encroaching commercial development or inappropriate conversion of houses to non-residential uses; and/or have street traffic stress. The Comprehensive Plan recommends that each of the designated Neighborhood Conservation Areas establish a community-based plan to address the related issues, and although such a plan for this neighborhood has not been developed, staff believes the designation alone gives credence to deny the SUP request. Secondly, approving such a request could be precedent setting. With so many rental properties already within this area, approving this request sets up the opportunity for other rental properties to expect to exceed the by-right occupancy.

Staff believes recommending approval of this request does not conform to the Comprehensive Plan and recommends denial of the request.

If there is a desire to approve the SUP, staff recommends the following conditions.

1. All off-street parking spaces shall not be located between the principal building and the public streets.
2. The parking spaces shall be screened utilizing the mechanisms as specified in the table within Section 10-3-48.6 (b) of the Zoning Ordinance. Screening abutting the alley shall follow the same rules for screens abutting a street. (The table is shown below.)

| Screen Abutting Street | Screen Abutting Adjacent Lot |
|---|---|
| 4-foot high masonry wall | 6-foot high masonry wall or solid wood fence |
| Or | Or |
| Evergreen hedge of 4-foot high (ultimate height) shrubs or trees planted a minimum of 5 feet on center so as to form a dense screen | Evergreen hedge of 6-foot high (ultimate height) shrubs or trees planted a minimum of 5 feet on center so as to form a dense screen |

Chairman Jones asked if there were any questions for staff.

Dr. Dilts said if the width of the land is 56 feet, the applicant has to have a five-foot setback on the interior side lot line and a 28-foot setback from Academy Street?

Mr. Fletcher said the formula is a bit confusing; starting from the interior side lot line, you go in five feet, because they get a reduction for a lot less than 60-feet in width. Secondly, you cannot reduce the buildable width to less than 50 percent of the lot width; so you take one-half of 56 feet, which leaves you with 28 feet of buildable area. The remainder, 23 feet, is the setback from Academy Street.

Mrs. Fitzgerald said the front setback is a residual of the equation.

Dr. Dilts said should we recommend this, staff is suggesting a condition that the parking not be located between the house and West Market Street or Academy Street.

Mr. Fletcher said the clearest way to state it is that parking cannot be located on the corner, and it cannot be between the dwelling and West Market Street or Academy Street. Therefore, it basically can be located in the rear of the dwelling off of the alley.

Dr. Dilts said do the other lots along West Market Street have parking in the rear?

Mr. Fletcher replied I would say that a majority of them do; some of them may have driveways in the front, maybe a parking space too. You can see from the aerial photo that some parcels have driveways that enter from West Market Street and go straight through to the alley. What we are looking for with this condition is aesthetics. If you look across Academy Street you have the situation where there is a parking lot right on the corner, you do not have the building next to the street.

Mrs. Fitzgerald said the adjacent dwelling that appears is borrowing this lot for parking; where is their parking supposed to be located.

Mr. Fletcher said directly behind their house, entering from the alley.

Chairman Jones asked if there were any further questions for staff. Hearing none, he opened the public hearing and asked the applicant or the applicant's representative to speak.

Mr. John Monger, IV, said he was one of the owners of this property. A bit of history about the lot; it used to house a four unit apartment building. There were two, two-person units and two, one-person units; so, it did house six persons before the widening of West Market Street. The apartment building was torn down to make way for the widening of the street.

I did a bit of research on the Harrisonburg GIS system and I found a couple other lots that are multifamily. I would like to focus more on the road frontage of West Market Street as opposed to the entire neighborhood. I feel that this lot has more characteristics of a road frontage lot, than it does of a neighborhood lot. If you look along the same side of the street there are a total of 18 lots, not including the requested lot. There are five multi-family lots within that frontage; again, this information is according to the City's GIS. There are 12 that are single-family and only seven are owner occupied; that is only 38 percent.

If you look at the surrounding properties from my lot you have a multifamily, rooming & boarding house next door; across Academy Street is a duplex; across West Market Street is an industrial parking lot with R-3 uses to the east. If you look at the situation of that lot I feel it is a bit different from the rest of the neighborhood, surrounded by houses.

Along the northern side of the West Market Street corridor the occupancy is even worse. There are only five owner occupied homes in this stretch. Five lots are zoned M-1, Industrial; there is an R-3 commercial lot for a business; another is a multifamily home; and there are 12 single-family detached, with only five being owner occupied. Many of the single-family homes along this area are non-conforming and one I know of specifically because it is owned by the same JJCARMON that I am part of. Many of them are "grandfathered" in under the old R-2 zoning before it changed to only two persons.

If we narrow things down and look just at the corner lots facing West Market Street, two of them are multifamily, one is a single-family rental, and only two are actually owner occupied. Therefore, I feel like my request is not out of the characteristic of this neighborhood. The lot was, before its current usage as a parking lot, multifamily housing.

To address the current parking issue, I believe people are parking here because it is a convenience to the front door of the house; but, there is ample parking in the rear. That is where I would propose to put my parking lot as well, off of the alley in the rear of the dwelling. The house that I submitted with the request is an example of what I would like to do. I am working with an architect now and I will probably shrink the footprint down to 27 feet so that I will have some wiggle room.

In summary, if you look at the surroundings and the characteristics of that lot I feel that it would be very difficult to have a single-family, owner occupied home there or even a rented single-family home there. I am trying to take a small, barren lot and improve the real estate, similar to what I did last year at 270/272 West Bruce Street. It was an old boarded up house, I completely gutted it and renovated it; now it is one of the nicest houses on the block.

Chairman Jones asked if there were any questions for Mr. Monger.

Mr. Da'Mes asked what the square footage of the proposed dwelling was.

Mr. Monger replied just under 2,000 square feet and again that was with the plan that was submitted with the application. Once I shrink the structure to 27 feet in width, the square footage would probably be closer to 1,800 square feet. I may lengthen the structure a bit too. I intend to have a surveyor stake the boundary and footers, because it is a small lot and everything has to be very on spot when you begin to build.

Mr. Da'Mes said do you see any problems with what staff is recommending as a condition for the parking and screening?

Mr. Monger said no, I feel there should be ample space in the rear for parking. Currently there is a row of trees adjoining the interior lot line, so there is already some screening in place. I always put shrubbery in. I feel if you do a project like this and do not finish it with shrubbery, it does not look good.

Chairman Jones asked if there were any further questions. Hearing none, he asked if there was any one present wanting to speak in favor of the request. Hearing none, he asked if there was any one present wishing to speak against the request. Hearing none, he closed the public hearing and asked Planning Commission for discussion.

Mr. Finks said I certainly respect Mr. Monger's desire to do something with this property. My problem is what we have allowed to happen here. For the last eighteen months we have mulled over and had multiple meetings regarding our Comprehensive Plan. Now here we are considering this type of thing. Did we not cover this type of thing? Obviously, we did not.

As many of us are aware there is the need for a new school. Here we are talking about an apartment that will probably wind-up having children in it. After this one there will probably be another one and so on, until eventually we will be building another new school. Is this a problem, perhaps it just means higher taxes. I for one have always been in favor of doing something with an impact fee, but again that was not discussed within the Comprehensive Plan review. Now we have this situation. I feel sooner or later we have to address this; preferably sooner rather than later.

It is not Mr. Monger's fault that he wants to do this, but as it all mounts together someone is going to have to take the blame. I really do think we need to look at this. Of course this is just the first example we have had since approving the Comprehensive Plan; but these are things we are going to be looking at. Is this the way we want to go – no impact fees, nothing at all, let the chips fall where they may. We had a chance to do something when we were working on the Comprehensive Plan.

Mrs. Fitzgerald said we have not done anything like this as a body since 2000, is that correct?

Mr. Fletcher replied that is correct.

Mrs. Fitzgerald said so it has been twelve years. There is a sense I get here that part of the question before us is – is this neighborhood effectively past the tipping point? Perhaps it does not show up on paper but are they past that point? Do we hold on to what the Comprehensive Plan says about this being a neighborhood, or do we recognize what the applicant seems to be saying that the neighborhood has already tipped past. It seems to me that in our discussions last time with the Comprehensive Plan we argue that this neighborhood has not and we should continue to push back and retain the neighborhood cohesion.

Dr. Dilts said I think that is right, it is a question at this point of what do you want the neighborhood to be. We had a lot of discussion with the Comprehensive Plan and this area was zoned R-2 for a reason. You have to draw the line somewhere.

Chairman Jones asked when West Market Street was widened.

Mrs. Turner replied I believe it was around 1995.

Chairman Jones said I do not recall exactly when it was, it may have been during some of the Comprehensive Plan discussions, but we did have a brief discussion regarding impact fees.

Mr. Finks said I think we have had several brief discussions on impact fees; but, if we are going to go with fees, we need to plan for it now.

Chairman Jones said another point that I would like to bring up is our "Gateways" into the City as shown in the Comprehensive Plan. This is one of our Gateways; how do we want these Gateways to appear?

Mr. Fletcher replied that Gateways are speaking mostly about the viewscape, signs, landscaping, and things you are seeing as you travel. I cannot recall if reference is given to parking lots or things like that; but it is more about things you see as you are coming in, not necessarily the uses along the Gateway.

Chairman Jones said it is more aesthetic.

Mrs. Turner said with the discussion regarding impact fees, I do not know if that is being made as an argument for or against this request; but, regardless, I am not sure you could charge an impact fee for this exact scenario. This is an existing lot; it is not a new subdivision with new lots for houses that could not go in otherwise. I hope this may clear things up a bit from the earlier discussion.

Mr. Da'Mes said I have to take into consideration what Mr. Monger is saying about the character of distinguishing this from other neighborhoods, because it does front along West Market Street. When you look at the percentages and ratios in terms of rental units along West Market Street and the character of the area it is not that far off. Is there any way we can condition this to the character of this particular house, because to me the house plan fits in the character of the corridor. Whether it is for non-owners or not, the house is not really part of the neighborhood. I see those four occupants as someone who comes off of West Market Street, parks, stays, and leaves the next day; not really part of the neighborhood, not affecting the neighborhood. By saying no to the request we are basically saying leave this lot empty; what is best for this lot.

Dr. Dilts said I believe we are saying yes to the idea that there is a reason for this being a neighborhood conservation area and residential R-2 district. At some point you either take a stand and say from this point on, everything we approve will be in character with a residential neighborhood. Or you say from this point on we are just going to let it be whatever it is.

By your argument you are essentially saying if something sits on West Market Street it does not have to be a single-family home.

Mr. Da'Mes said however, this is a special use and every special use comes before us for consideration because of its special circumstances. This one might have its merits given the proximity to R-3, to M-1, and the Market Street corridor.

Mrs. Fitzgerald said then when do you draw the line? Is it spot zoning.

Chairman Jones said that is what I am thinking and I am not in favor of spot zoning. However, there are other parcels in this established neighborhood of the same type use. With that being said, I am also a believer in maintaining the integrity of the existing older neighborhoods that we have. I believe this is something we discussed during the Comprehensive Plan review – trying to preserve the integrity of some of our older neighborhoods. I understand that there are some inconsistencies with the uses in this group of parcels, but I am at the point of saying we are not going to allow this

to continue. If nothing else, the folks that live in this neighborhood as owner occupiers have the right to maintain the integrity of their neighborhood the way it was when they moved in to it.

Mr. Da'Mes said yet they are not here tonight and they did not write in to speak their opposition.

Chairman Jones agreed with that. But what about those who do not know what is happening on this parcel, they do not get a newspaper or drive by and see the sign. I would hate to hear from them after the fact.

Mr. Finks said the R-3 zoning does not exactly tell the whole truth here. R-3 was an entirely different thing until about a few months ago when we made a big change to that zoning. R-3 was a very lucrative zoning classification.

Mr. Fletcher said to be perfectly clear, we did have two phone calls regarding this. One happened to be a passerby that wanted to know what a special use permit was. The other was from Graham Plastics, as an adjacent property owner, wanting to know what to report back to their Board as to what the special use was about. As for the comment about R-3, the properties that are zoned R-3 are across Academy Street and if an R-3 property wanted an apartment they would have to request a special use permit. It did not affect occupancy in the R-3; occupancy for dwellings in R-3, old and new, is still up to four unrelated persons.

Mrs. Turner said another item to point out is besides the newspaper advertisement, the sign in the yard, and information on our website, we do notify in writing the directly adjacent property owners, which includes across the street. So some people in the neighborhood do actually receive a letter in the mail.

Chairman Jones asked if there were any further questions for staff or further discussion.

Dr. Dilts moved to recommend denial of the special use permit request.

Mrs. Fitzgerald seconded the motion.

Chairman Jones said there is a motion to deny and a second. He then called for a roll call vote on the motion.

Commissioner Fitzgerald – yes.

Commissioner Finks – yes.

Commissioner Dilts – yes.

Commissioner Da'Mes – yes.

Chairman Jones – yes.

Chairman Jones said the motion to deny passes (5-0). This request will move forward to City Council on March 13th 2012.

Unfinished Business

None.

Public Input

None.

Report of secretary and committees

Mrs. Banks said proactive zoning targeted the Northfield sector of the City, where they found thirteen violations consisting of inoperable vehicles and discarded materials. Next month the Zoning inspectors will be inspecting the Purcell Park Area.

Other Matters

Mr. Fletcher said I have two items to discuss. First is an update about telecommunications. We have done quite a bit of research and have some items for consideration, but we have a question for Planning Commission. Most of the things we are looking at are more regulatory; but is it a desire to look at mechanisms that are less regulatory? We are looking at things like screening, how to make things as invisible as possible, co-locations, and things along these lines. Is there a desire to lessen the restrictions on telecommunications?

Chairman Jones said I do not know that lessening is really what I was thinking of. I know that under the current guidelines we go by we consider it as we do a flag pole, we call it a structure. I do not know if that is wrong; but, I think we could better define what these things are. To me the hospital is a structure.

Mr. Fletcher said the Zoning Ordinance defines the difference between structure and building and sometimes they are considered the same. A structure is something that takes space on property and may or may not be habitable. A building is the same; however, it is habitable. A building is a structure, but not all structures are buildings.

Mr. Fletcher continued saying we have a good start on telecommunications, and we probably will not update you every month. This will take some time.

Mr. Da'Mes said I am somewhat mixed on the regulatory thing. Obviously, you have to have some guidelines in place; but, every time we run into one of these we ask – are there better alternatives and have they been exhausted. Perhaps we should build something in an ordinance that states all efforts should be exhausted before placing a 125-foot monopole in the middle of 30-foot buildings.

Mr. Fletcher said yes, some of the items that we have already made note of are giving more verification that all those attempts have been made. Therefore, an applicant would have to prove to us in writing that this has been attempted. There are a lot of model ordinances out there from other states and some of it is applicable to us. Thank you for your input and we will continue to move forward with this.

Secondly, Planning Commission is going to see the proposed Parking Lot Landscaping Ordinance again next month. Reason being, there are some minor tweaks that we would like to make and a bigger issue that we have come across. There is an interpretation issue which made sense to us; however, it became evident to us that it was not clear to others. We are therefore proposing an amendment to the existing parking lot definition. If it should be approved, it will affect some of the other items within the ordinance as proposed, so we need to make those slight tweaks. Therefore, the ordinance is not moving forward to City Council; but it is being re-advertised and brought back to Planning Commission. We will provide you all the language again, along with the changes. We also have three other sections of the Zoning Ordinance which we are proposing amendments to, so you will see those next month as well.

Mrs. Fitzgerald said there is no tour next month for Planning Commission.

Mr. Fletcher replied there is no tour. No other applications were submitted.

Mr. Da'Mes asked about the Pear Street agenda items.

Mr. Fletcher said yes, the Pedcor requests were left on the agenda because they were advertised; but, the applicants withdrew the requests completely. We kept it on the agenda in case anyone showed up regarding the newspaper advertisement.

Chairman Jones asked if there was any further discussion.

Mr. Da'Mes said he would like to talk about these signs in the median and on right-of-way. I have called businesses on some of them and told people they need to take those signs down; but, they are everywhere. They are all over Main Street and East Market Street. My feeling is once you allow a few others will start doing it as well.

Mr. Fletcher said it is not that we are allowing it, businesses just keep doing it and staff cannot keep up with it. If they are in the median Public Works will remove the signs.

Dr. Dilts asked if there was a fine for the illegal signage.

Mrs. Turner said these signs are on public property; they are not like someone advertising illegally on their own property where we can inform them they are in violation. They are on City property and we as the property owner have the violation. We have asked the City Attorney about this numerous times and he says because we do not know who put those signs there we cannot accuse someone. We do not know if the business authorized the signs to be placed there or did someone just stick them there. We can ask the City Attorney about this again.

Mr. Da'Mes said yes.

Mrs. Turner said Public Works has said that in the past they have picked some signs up and have charged a fee for picking them up. I do not know how often this has been done.

Dr. Dilts said the Little Caesars Pizza guy standing in the median, could he personally be picked up for a violation.

Mrs. Turner said it would be very difficult.

Chairman Jones said the state code covers issues of signage on public right-of-ways, and most localities through action of their governing bodies have adopted the State Code and it does make it illegal to do this.

Mr. Fletcher said signs are very difficult to enforce. You also have the large banner signs that businesses just roll off the roof top during the time of the sale and then roll them back.

Chairman Jones said the folks in Fairfax have two or three crews that spend their entire day riding around the County picking up all the illegal signage.

Mrs. Banks said I believe those folks are part of a volunteer program. We, in the City, could have a person working full time that did nothing but regulate signage.

Dr. Dilts said if you continue to remove their signage one would think it would get expensive for them to replace and they would discontinue doing it.

Mrs. Banks said our local sign companies are more than happy to work with businesses on this, knowing that it is not allowed by our ordinance.

Chairman Jones said perhaps we should shorten the 30-day compliance time.

Staff said that the sign ordinance was amended to a 10-day time frame and made it a misdemeanor.

Chairman Jones said I think 48 hours would be sufficient for a business. Ten days seems excessive.

Dr. Dilts agreed.

Mrs. Turner said another thing that perhaps we could do is something like we do with zoning violations. When we write a letter about an inoperable vehicle we add a sentence stating that if you have another inoperable vehicle in the next couple of months the City will not notify you, we will simply take you to court. Perhaps we could do something along the lines of this with signs too. However, I would probably want to discuss this with the City Manager first, because I do not believe your concerns about all these signs are universally shared by other people on governing bodies.

Dr. Dilts asked if we (Planning Commission) are allowed to go around town and pick up this type of signage in public right-of-way.

Mrs. Turner said there are multiple reasons why you should not go around picking up these signs. The City could not say you are authorized to do so because there are some questions with liability. If you were injured on the City right-of-way while doing it or if you damage private property while doing it the City is not going to say you have authorization. I have asked the City Attorney about having a citizen's volunteer program like Mrs. Banks said Fairfax does, and he did not recommend for us to pursue that idea.

Mrs. Fitzgerald said from what you are saying there is not a completely unanimous idea that these signs are all that bad.

Mrs. Turner replied I think the ones we started talking about, the ones within the median, are. But, I am not sure that I would go as far as saying banners, streamers, signs on private property are viewed as bad.

Adjournment

The meeting was adjourned at 8:30 p.m.

February 2012 Proactive-Zoning Report

For the month of February 2012 the proactive-zoning program targeted the **Purcell Park** section of the city. During the proactive inspections a total of thirteen violations were found. The violations consisted of inoperable vehicles and discarded materials.

| MONTH | SECTOR | 4 th CYCLE VIOLATIONS | CORRECTED | 1 st CYCLE | 2 nd CYCLE | 3 rd CYCLE |
|----------------|-------------------------------|----------------------------------|-----------|-----------------------|-----------------------|-----------------------|
| December 2011 | Wyndham Woods | 2 | 2 | 2 | 0 | 4 |
| January 2012 | Northfield | 13 | 11 | 21 | 6 | 19 |
| February 2012 | Purcell Park | 8 | N/A | 7 | 6 | 5 |
| March 2012 | Parkview | | | 19 | 7 | 16 |
| April 2012 | Northeast | | | 80 | 45 | 63 |
| May 2012 | Ind./Tech Park | | | 0 | 1 | 0 |
| June 2012 | Exit 243 | | | 10 | 0 | 1 |
| July 2012 | Fairway Hills | | | 1 | 0 | 0 |
| August 2012 | Smithland Rd. | | | 0 | 4 | 0 |
| September 2012 | N. Main St. | | | 13 | 4 | 4 |
| October 2012 | Liberty St. | | | 6 | 4 | 18 |
| November 2012 | Westover | | | 18 | 8 | 17 |
| December 2012 | Garber's Church | | | 1 | 2 | 1 |
| January 2013 | Spotswood Acres | | | 6 | 4 | 1 |
| February 2013 | Jefferson St. | | | 26 | 22 | 35 |
| March 2013 | Forest Hills/JMU | | | 6 | 1 | 1 |
| April 2013 | S. Main St. | | | 1 | 0 | 2 |
| May 2013 | Hillandale | | | 7 | 5 | 17 |
| June 2013 | Maplehurst/JMU | | | 6 | 5 | 2 |
| July 2013 | Long Ave/Norwood | | | 12 | 28 | 17 |
| August 2013 | Greystone | | | 13 | 10 | 13 |
| September 2013 | Greendale/SE | | | 3 | 2 | 5 |
| October 2013 | Ramblewood | | | 4 | 8 | 1 |
| November 2013 | Stone Spring Village/JMU | | | 2 | 10 | 0 |
| December 2013 | Sunset Heights | | | 7 | 29 | 10 |
| January 2014 | Reherd Acres | | | 10 | 12 | 9 |
| February 2014 | RT 33 West | | | 0 | 16 | 6 |
| March 2014 | Chicago Ave | | | 16 | 22 | 29 |
| April 2014 | Pleasant Hill | | | 4 | 13 | 17 |
| May 2014 | Avalon Woods | | | 7 | 26 | 11 |
| June 2014 | Waterman Elementary | | | 6 | 61 | 18 |
| July 2014 | Keister Elem | | | 6 | 5 | 8 |
| August 2014 | 500-600 S. Main | | | 7 | 30 | 16 |
| September 2014 | Court Square | | | 0 | 3 | 2 |
| October 2014 | Bluestone Hills & Valley Mall | | | 3 | 33 | 31 |
| November 2014 | Preston Heights | | | 8 | 3 | 1 |

The proactive-zoning program for March 2012 will be directed towards the enforcement of the Zoning Ordinance in the **Parkview** section of the City.



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT

March 14, 2012

Proposed Parking Lot Landscaping Ordinance and Related Ordinance Amendments

Shortly after the Planning Commission's public hearing on January 11th for the ordinance amendments related to the proposed parking lot landscaping regulations, and prior to staff advertising the ordinance amendments for City Council's hearing on the matter, staff recognized there could be confusion on the interpretation of some of the proposed requirements as they relate to the City's existing definition of a "parking lot." At the same time, it also came to our attention that several existing parking requirement standards for specific uses referred to a section that staff was proposing to delete from the City Code. To be as absolute and accurate as possible, staff ended the prior amendment process, made the appropriate changes and has re-advertized the Zoning Ordinance amendments for Planning Commission's review. If the Commission again recommends approval of the amendments, the proposed Parking Lot Landscaping Ordinance and related ordinance amendments will move forward to City Council in April. Although not previously discussed, if City Council chooses to adopt the amendments, staff recommends the proposed changes take effect September 1, 2012.

To easily recognize the changes to the proposed amendments, the new text is shown in "red." The first major change includes adding clarification to the City's existing "parking lot" definition. Staff is proposing this definition be read as follows (the underlined statement is the additional text): *Parking Lot*: A defined area for the storage of operable motor-driven vehicles and operable accessory vehicles. A parking lot includes all areas used for parking, maneuvering, loading, driveways, travelways, and drive-throughs, except public street ingress and egress. Staff has for years interpreted that all of the listed areas are part of a "parking lot," but in an effort to be clear and consistent and to meet the intent of the proposed landscaping ordinance staff has proposed to modify this definition as shown. This change also initiated the removal of Section 10-3-25 (2), which refers to the definition of a "parking lot" and which was not previously discussed. The change also prompted a change to the proposed "landscaping island" definition.

Another major change not previously discussed includes the proposed modifications to Section 10-3-25 subsections (7) (c.), (12) through (20) and (27). These subsections specify particular parking space requirements and also refer to the existing landscaping requirements in Section 10-3-25 (3). Staff is proposing to remove each reference.

Staff is also proposing to amend Section 10-3-25 (21). This section outlines the parking space requirements for manufacturing and industrial plants, research and wholesale stores, testing laboratories, assembly plants, and warehouses or similar facilities. This section also states that "modifications to landscaping requirements may be approved by the zoning administrator or the planning commission upon review of site plans." This section was already inconsistent with existing Section 10-3-25 (3), which totally exempts industrial sites from landscaping

requirements. The proposed parking lot landscaping ordinance is intended for *all* parking lots, including industrial sites, so it is recommended that 10-3-25 (21) be amended to remove the last sentence.

Along with other minor tweaks to the proposed ordinance, the last notable change to the text is regarding the adding of new uses within Sections 10-3-56.3, 57.3, and 58.3, for the zoning districts of R-6, R-7, and MX-U respectively. Since each district is a master planned community and further because staff was already proposing to add “parking garages” as a use permitted by-right in each district, staff is also proposing to add “parking lots” in each of the proposed subsections.

Finally, and almost unnoticeable, staff had minor revisions made to the Parking Lot Landscaping example drawings which are to be inserted into the Design and Construction Standards Manual. Staff will highlight those changes during the hearing.

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-11
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 10-3-11 be amended as follows:

Section 10-3-11. Certificate of Occupancy.

Add subsection (c) as shown:

- (c) Prior to submitting a request for a certificate of occupancy, the owner or developer shall have completed, or posted an approved surety for, all required improvements included on the approved comprehensive site plan, building permit, or revisions thereto.

The remainder of Section 10-3-11 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2012.
Adopted and approved this _____ day of _____, 2012.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-17
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-17 (c) be amended as follows:

Section 10-3-17. Comprehensive Site Plan Review

Add Subsection (c) by adding (9) as shown:

(9) All details for meeting requirements of Section 10-3-30.1 Parking Lot Landscaping.

The remainder of Section 10-3-17 is reaffirmed and reenacted in its entirety,
except as hereby modified.

This ordinance shall be effective from the ____ day of _____, 2012.
Adopted and approved this ____ day of _____, 2012.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-24
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 10-3-24 be amended as follows:

Section 10-3-24. Definitions.

Add **and Amend** the following definitions:

Caliper: The diameter of a tree trunk measured in inches. At planting, the caliper shall be measured at six (6) inches above the ground for trees expected to be four (4) inch caliper size and below at maturity, and twelve (12) inches above the ground for trees expected to be larger than four (4) inches in caliper at maturity.

Deciduous Shrub: A low woody plant usually having multiple stems or branches that loses its foliage at the end of the growing season.

Deciduous Tree, Large: A tree that loses its foliage at the end of the growing season, which at maturity exceeds four (4) inches in caliper. When planted, these trees shall be at least two (2) inches in caliper and be a minimum of ten (10) feet in height. Multi-stem trees shall also be a minimum of ten (10) feet in height.

Deciduous Tree, Small/Ornamental: A tree that loses its foliage at the end of the growing season, which at maturity is (4) inches or less in caliper. When planted, these trees shall be at least one (1) inch in caliper and be a minimum of six (6) feet in height. Multi-stem trees shall also be a minimum of six (6) feet in height.

Evergreen Shrub: A low woody plant usually having multiple stems or branches and keeping its foliage all year.

Draft

Evergreen Tree: A tree that does not shed its foliage annually. When planted, these trees shall be at least six feet in height.

Landscaping: Living vegetation primarily used to enhance property aesthetics, values, and/or to improve environmental conditions. Landscaping may include grasses, shrubbery, trees, and other vegetation. Mulch and/or stone shall be used only for the enhancement of vegetation. The use of mulch and/or stone alone is not considered landscaping.

Landscaping Island: An area that includes landscaping, within a parking lot, ~~not used for parking, maneuvering, loading, travelways, or pedestrian ways.~~

Outdoor Display Area: An area generally considered accessible to the public that utilizes parking spaces or paved and/or graveled areas to display goods for sale, rental, or lease, except those areas counted as part of the gross floor area for purposes of calculating required parking. Goods include but are not limited to vehicles, recreation equipment, trailer sales, heavy equipment, manufactured homes, industrialized buildings, agricultural equipment, yard and landscaping equipment, and other similar products.

Parking Bay: Multiple parking spaces arranged in single or double loaded rows.

Parking Lot: A defined area for the storage of operable motor-driven vehicles and operable accessory vehicles. A parking lot includes all areas used for parking, maneuvering, loading, driveways, travelways, and drive-throughs, except public street ingress and egress.

The remainder of Section 10-3-24 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2012.
Adopted and approved this _____ day of _____, 2012.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-25
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 10-3-25 be amended as follows:

Section 10-3-25. Off-Street Parking Regulations

Remove subsections (2), (3), and (4), and (7) (c.), and appropriately renumber the remaining subsections.

- ~~(2) Definition of a “parking lot”: A tract of land which is used for the temporary storage of motor vehicles or accessory vehicles.~~
- (3) Definition of “Landscaping for Parking Lots”: All parking lots for new buildings, other than industrial sites, requiring more than ten (10) parking spaces shall include well-defined and well-maintained landscaped areas equal to at least fifteen (15) percent of the total area to be used for parking, maneuvering and driveways on site. Parking spaces shall be separated from all right-of-way lines and property lines by a landscaped border not less than ten (10) feet in width or appropriate visual elements such as walls or fencing, except along adjoining lot lines which lie within a shared parking arrangement approved by a special-use permit allowing for a zero side yard setback. Landscaping interior to the parking area or within a thirty-foot perimeter of the parking area shall be permitted to count towards meeting the fifteen (15) percent requirement. It is required that hardy trees or shrubs which are regional species be planted or saved, and that all planting and ground cover be either maintained or replaced.
- (4) Definition of “Landscaping for Shopping Center Parking Lot”: Shopping centers, as defined, shall provide well-defined and well-maintained landscaped areas equal to at least fifteen (15) percent of the total approved parking area which shall include not

Draft

~~less than ten-foot-wide landscaped borders or appropriate screening adjoining all right-of-ways and property lines. Until the fifteen (15) percent requirement is met, rows of parking spaces shall be divided at intervals of from eight (8) to twelve (12) parking spaces by a landscaped area at least five (5) feet in length. Intent of landscaping under subsection (3) shall apply.~~

~~(7) (c.) Nonresidential parking spaces, where applicable, shall comply with subsection (3) above.~~

Amend subsection (21) as shown:

~~(21) Manufacturing and industrial plants, research and wholesale stores, testing laboratories, assembly plants, warehouses or similar facilities: One parking space for each two (2) persons working on the premises on a maximum shift, plus parking space for every truck or other vehicle used in connection therewith. Modifications to landscaping requirements may be approved by the zoning administrator or the planning commission upon review of site plans.~~

Amend subsections (12), (13), (14), (15), (16), (17), (18), and (27) by removing the following statement from each subsection.

“Also refer to subsection (3) above.”

Amend subsections (19) and (20) by removing the following statement from each subsection.

“Refer to subsection (3) above.”

The remainder of Section 10-3-25 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2012.
Adopted and approved this _____ day of _____, 2012.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE ADDING SECTION
10-3-30.1
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 10-3-30.1 be added as follows:

Sec. 10-3-30.1 Parking Lot Landscaping.

This section is applicable to all uses, **and to all parking lots, both required and not required**, except single family detached and duplex dwelling units. Reference the Design and Construction Standards Manual Example Parking Lot Landscaping drawings **2.6.8 Example A and B**.

- (a) Parking lots shall be separated from public street right-of-way lines by a landscaping border not less than ten (10) feet in width.
- (b) Parking lots shall be separated from all side and rear property lines by a landscaping border not less than ten (10) feet in width or by a wall or fence of at least three (3) feet in height, except along adjoining lot lines which lie within a shared parking arrangement.
- (c) **All p**Parking lots shall include well-defined and well-maintained landscaping areas equal to at least fifteen (15) percent of the total **area of the parking lot. area-to-be-used-for-parking, maneuvering, loading, and travelways-on-site**. Uses that have outdoor display areas shall include those areas for determining the required landscaping. Only landscaping within the parking lot and/or within a thirty (30) foot perimeter of the parking lot, exclusive of the required landscaping border adjacent to public street right-of-ways and landscaping immediately adjacent (within five (5) feet) to a principal building/structure, shall be permitted to count towards meeting the fifteen (15) percent requirement.

Draft

- (1) *Parking Garage Exception.* All parking garages, except those constructed within the B-1, Central Business District, shall calculate the required landscaping area based upon fifteen (15) percent of the total floorplate of the parking garage. Trees shall be planted and maintained on the property adjacent to, and no less than twenty (20) feet from, public street right-of-ways based upon the proportions as specified within 10-3-30.1 (d) (1), (2), (3), and/or (4), except such proportions shall be calculated using the public street frontage of the parcel. Parking garages, as specified herein, are exempt from the requirements set forth in 10-3-30.1 (e), (f), (g), (h), and (i).
- (d) Trees shall be planted and maintained within landscaping borders adjacent to public street right-of-ways according to one of the following:
 1. No less than one (1) large deciduous tree planted for every forty (40) linear feet of parking lot street frontage, or fraction thereof. At the time of planting, tree sizes shall meet the requirements as defined in Section 10-3-24 Definitions. Tree locations within the border are at the discretion of the property owner/developer.
 2. No less than one (1) small/ornamental deciduous tree, planted for every twenty-five (25) linear feet of parking lot street frontage, or fraction thereof. At the time of planting, tree sizes shall meet the requirements as defined in Section 10-3-24 Definitions. Tree locations within the border are at the discretion of the property owner/developer.
 3. No less than one (1) evergreen tree may be planted for every twenty-five (25) linear feet of parking lot street frontage, or fraction thereof. Evergreen trees shall not exceed fifty (50) percent of the number trees planted within the border. At the time of planting, trees shall meet the requirements as defined in Section 10-3-24. Tree locations within the border are at the discretion of the property owner/developer.
 4. No less than a combination of large and small/ornamental deciduous and/or evergreen trees proportionate to 10-3-30.1 (d) (1) (2), and (3). Tree locations within the border are at the discretion of the property owner/developer.
- (e) Each terminus of a parking bay, unless adjacent to a landscaping border, shall have a landscaping island. A single row parking bay shall have an island with a minimum of 140 square feet. A double row parking bay shall have an island with a minimum of 280 square feet.
- (f) Rows of parking spaces shall be divided at intervals of no more than twelve (12) parking spaces by a landscaping island of no less than 140 square feet.

Draft

- (g) Each required landscaping island, as described in 10-3-30.1 (e) and (f), shall have and maintain at least one (1) large deciduous tree, one (1) small/ornamental deciduous tree, or one evergreen tree. At the time of planting, tree sizes shall meet the requirements as defined in Section 10-3-24 Definitions. The planting of evergreen trees shall not exceed fifty (50) percent of the number of trees planted in landscaping islands. In addition, at least three (3) deciduous or evergreen shrubs, at least 18 inches tall at the time of planting, shall be planted and maintained within each required landscaping island. Landscaping islands that are less than five (5) feet in width are not required to provide large or small/ornamental deciduous trees or deciduous or evergreen shrubs.
- (h) Parking lots shall have landscaping of at least nine (9) feet in width for the entire length of every other interior parking bay, connecting the landscaping islands required above. Trees shall be provided at no less than one (1) large deciduous tree planted for every forty (40) linear feet of island length, or fraction thereof; no less than one (1) small/ornamental deciduous tree, planted for every twenty-five (25) linear feet of island length, or fraction thereof; no less than one (1) evergreen tree planted for every twenty-five (25) linear feet of island length, or fraction thereof; or no less than a combination to the above mentioned proportions. The planting of evergreen trees shall not exceed fifty (50) percent of the number of trees planted in this landscaping area. At the time of planting, tree sizes shall meet the requirements as defined in Section 10-3-24 Definitions. Tree locations within this landscaping area are at the discretion of the property owner/developer. Parking lots with two (2) or less internal parking bays are exempt from this requirement.
- (i) All areas within the parking lot, not used for parking spaces, travelways, or pedestrian ways, shall be landscaped.
- (j) All landscaping shall be located as to not interfere with the adequate sight distance standards as specified within the Design and Construction Standards Manual.
- (k) All required landscaping is suggested to be of regional species and planted in accordance with the International Society of Arboriculture.
- (l) Vehicle parking and/or the display of goods in landscaping islands and borders is prohibited.
- (m) Owner(s) and their agent(s), heirs, or assigns shall be responsible for the installation, preservation and maintenance of all planting and physical features required to satisfy the conditions of this section. Any dead or missing vegetation shall be replaced (with like or similar vegetation) within one (1) calendar year of the vegetation's death.

Draft

- (n) *Required Planting in Easements:* Required trees, and other deep rooted vegetation, shall not be planted within public water and/or sewer easements. In particular circumstances where no other area within the required location can accommodate the required planting, such planting may be waived by the Zoning Administrator. Required planting in public general utility easements shall be coordinated with the Department of Public Utilities.
- (o) *Landscaping Plan Submittal:* Landscaping information shall be submitted with a comprehensive site plan and/or, if applicable, with a building permit, with a plan of the property at an appropriate scale to show accordance with this section. The plan shall be appropriately labeled and shall provide the following information:
- The calculation of the required landscaping area as specified in 10-3-30.1 (c).
 - The location, size, and schedule of all proposed landscaping with the dimensions of landscaped areas indicated. Plant materials may be indicated in generic terms (i.e. large deciduous tree or small/ornamental deciduous tree, etc.).
 - Existing healthy trees or wooded areas, where such trees are required, may be preserved in lieu of planting new materials to meet the landscaping requirements. In such case, the landscaping plan shall indicate the trees and areas to be saved.
 - Verification that landscaping will not impede sight distance.
- (p) *Non-conforming Landscaping:* An existing building/use that has parking lot landscaping that is non-conforming as to the minimum landscaping requirements of this section may be enlarged; however, required landscaping shall be provided at least proportionate to any enlargement of the parking lot. Any enlargement of a parking lot on any property having an existing landscaping border separating parking spaces from public street right-of-way lines, which is five (5) feet or larger, shall provide trees within the border as required by 10-3-30.1 (d).

This ordinance shall be effective from the _____ day of _____, 2012.
Adopted and approved this _____ day of _____, 2012.

MAYOR

Draft

ATTESTE:

CLERK OF THE COUNCIL

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-56.3

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 10-3-56.3 be amended as follows:

Section 10-3-56.3. Uses Permitted By Right.

Add subsection (o) as shown

(o) **Parking lots and P**arking garages.

The remainder of Section 10-3-56.3 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2012.
Adopted and approved this _____ day of _____, 2012.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-57.3
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-57.3 be amended as follows:

Section 10-3-57.3. Uses Permitted By Right.

Add subsection (q) as shown

(q) **Parking lots and ~~P~~parking garages.**

The remainder of Section 10-3-57.3 is reaffirmed and reenacted in its entirety,
except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2012.
Adopted and approved this _____ day of _____, 2012.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-58.3
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-58.3 be amended as follows:

Section 10-3-58.3. Uses Permitted By Right.

Add subsection (20) as shown

(20) ~~Parking lots and P~~parking garages.

The remainder of Section 10-3-58.3 is reaffirmed and reenacted in its entirety,
except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2012.
Adopted and approved this _____ day of _____, 2012.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-84
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-84 be amended as follows:

Section 10-3-84. Uses Permitted By Right

Amend subsection (7) as shown

~~(7) Public and privately owned Parking lots, and parking garages.~~

The remainder of Section 10-3-84 is reaffirmed and reenacted in its entirety,
except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2012.
Adopted and approved this _____ day of _____, 2012.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-85
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-85 be amended as follows:

Section 10-3-85. Uses Permitted By Special Use Permit.

Add subsection (8) as shown

(8) Parking garages.

The remainder of Section 10-3-85 is reaffirmed and reenacted in its entirety,
except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2012.
Adopted and approved this _____ day of _____, 2012.

MAYOR

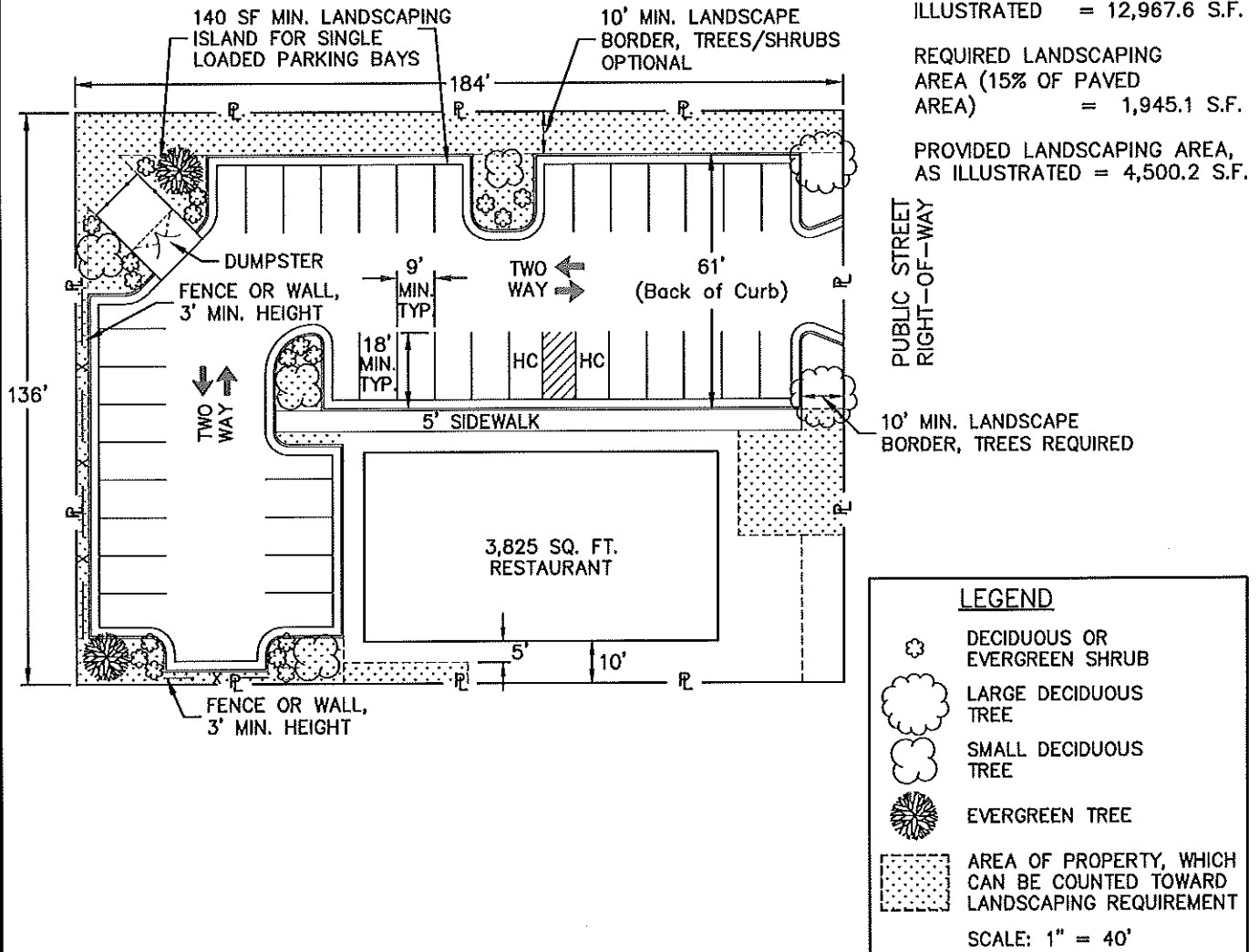
ATTESTE:

CLERK OF THE COUNCIL



1. For all parking lot landscaping requirements, reference the Zoning Ordinance Section 10-3-30.1.
2. For definitions of landscaping, landscaping island, vegetation types and specifications, and others, reference the Zoning Ordinance Section 10-3-24.
3. Planting locations within required landscaping areas are at the discretion of the property owner/developer.
4. All landscaping shall be located as to not interfere with the adequate sight distance standards as specified within the Design and Construction Standards Manual.

| REVISIONS | | | | <div>EXAMPLE A PARKING LOT LANDSCAPING</div> | DWG. NO. |
|-----------|------|-------------|-------|--|----------|
| NO. | DATE | DESCRIPTION | INIT. | | 2.6.8 |
| | | | | | PAGE |
| | | | | | 1 OF 2 |
| | | | | | |



NOTES

1. For all parking lot landscaping requirements, reference the Zoning Ordinance Section 10-3-30.1.
2. For definitions of landscaping, landscaping island, vegetation types and specifications, and others, reference the Zoning Ordinance Section 10-3-24.
3. Planting locations within required landscaping areas are at the discretion of the property owner/developer.
4. All landscaping shall be located as to not interfere with the adequate sight distance standards as specified within the Design and Construction Standards Manual.
5. Only landscaping within the parking lot and/or within a thirty (30) foot perimeter of the parking lot, exclusive of the required landscaping border adjacent to public street right-of-ways and landscaping immediately adjacent (within five (5) feet) to a principal building/structure, shall be permitted to count towards meeting the fifteen (15) percent requirement.

| REVISIONS | | | | <p align="center">EXAMPLE B</p> <p align="center">PARKING LOT</p> <p align="center">LANDSCAPING</p> | DWG. NO. |
|-----------|------|-------------|-------|--|--|
| NO. | DATE | DESCRIPTION | INIT. | | 2.6.8 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | <p align="center">PAGE</p> <p align="center">2 OF 2</p> |



**Department of Planning
and
Community Development
Division of Planning and Zoning**



MEMORANDUM

TO: Harrisonburg Planning Commission
FROM: Adam Fletcher, City Planner
RE: Rockingham County Rezoning for Student Housing
DATE: Friday, March 9, 2012

Rockingham County has received an application from a student housing development company to rezone 23.1 acres of property along Port Republic Road to make way for a 184-unit student housing development just outside the City limits. This property currently has multiple zoning classifications and proffers that limit its development to professional and business uses along the Port Republic Road frontage and then duplex and townhouse units to the rear of the property.

The subject property abuts several single family home lots within the City's Ashby Meadows and Stone Spring Village neighborhoods. Although the houses on these lots are located in the City, the parcels are split between the City and the County, and therefore the subject property does not directly abut the corporate limits of the City. There are also two properties within Ashby Meadows, adjacent to the subject property, zoned R-3C (in the City) for professional office uses.

Please read through the material provided by the County included herein and be prepared to discuss this request under Other Matters at next week's meeting. Although the City has no jurisdictional authority in the matter, we have been asked to provide comments to the County offering our thoughts on the development's impact. After reading through the applicant's application request, please view the additional maps, the existing proffers, and a breakdown of existing student housing occupancy information (derived by the City's Department of Public Transportation) that City staff has included for your review.

Note the development would not be a traditional student housing complex. Rather than large, 12 unit apartment buildings, as is often built in the City, this development would be designed to look like a residential neighborhood with single family detached homes, duplexes, and townhouses. Like other student housing complexes, the development would offer onsite amenities such as a clubhouse and recreational areas. The development would NOT connect to Skylark Lane, which is a City public street within the Ashby Meadows subdivision that was stubbed toward this property. A gate would be installed to allow only emergency access.

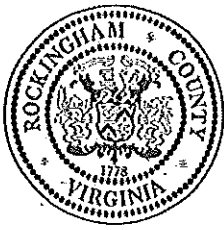
Planning staff has met with the developer and their engineer and discussed our concerns of having student housing abutting our single family home neighborhoods. We suggested the developer consider some type of buffering between the complex and the single family home lots and to further consider how their proposed orientation of their units could affect the single family lots. The developer has proffered that a fence will be installed along the northern property boundary to provide a physical and visual barrier. If you have questions regarding this matter prior to the meeting, please let us know.

409 South Main Street, Harrisonburg, Virginia, 22801

Phone: 540.432.7700

Fax: 540.432.7777

Web Site: www.harrisonburgva.gov



COUNTY of ROCKINGHAM

Department of Community Development

William L. Vaughn
Director

March 8, 2012

Mr. Kurt Hodgen
City Manager
409 South Main Street
Harrisonburg, VA 22801

Dear Mr. Hodgen:

The County is presently considering a rezoning request on property located adjacent to the City of Harrisonburg. You are being notified so the County can learn of any information the City wants to be considered in evaluating this request. The site under review is:

REZ-010 - Aspen Heights, LLC, 1301 S. Capital of Texas Hwy, Suite B-201, Austin, TX 78746, to rezone from B-1C (General Business District with Conditions), R-3 (General Residential District), and R-3C (General Residential with Conditions), to R-5C (Planned Residential District with Conditions), a 23.1 acre parcel, 125-(A)-L3, located on the west side of Port Republic Road (VA Route 253), approximately 0.25 miles north of Stone Spring Road (VA Route 726) in Election District 4. The Comprehensive Plan designates this area as Community Residential.

The proffers included in this packet are preliminary, and are currently under revision by the applicant. Rockingham County can provide further revised proffers to the City of Harrisonburg if they are desired.

We would appreciate receiving your input in writing prior to the Rockingham County Planning Commission public hearing. The hearing will be held on Tuesday, April 3, 2012, at 6:30 p.m. in the Board of Supervisors meeting room in the County Administration Center at 20 East Gay Street, Harrisonburg.

If you want to discuss this rezoning request, please contact me at 564-3030.

Sincerely,

Rhonda G. Henderson
Director of Planning

C: Stacy Turner, Harrisonburg Director of Community Development
Enclosures

ROCKINGHAM COUNTY REZONING APPLICATION

Prior to submitting this application, the applicant must have a preliminary meeting with a planner in the Department of Community Development. No application can be accepted until this meeting is held. Call 540-564-3033 for an appointment.

APPLICANT'S CHECKLIST:

- ☐ Complete this application and sign the front and back.
- ☐ Enclose a boundary map of the property, showing a metes and bounds description of the area to be rezoned. The map cannot be larger than 11" x 17".

FOR OFFICE USE ONLY

| | | |
|----------------------------------|-------------------------------------|------------------------------------|
| Applicant Meeting Date: <u>—</u> | Planner: <u>CHRISTOPHER ANDREWS</u> | |
| Application Fee: \$ <u>1350</u> | Receipt # <u>88369</u> | Date Received: <u>1-10-2012</u> |
| Taxes Paid: <u>✓</u> | Staking Given: <u>—</u> | |
| Deadline Date: <u>—</u> | PC Hearing Date: <u>4/3/2012</u> | BOS Hearing Date: <u>4/25/2012</u> |

Check if: Owner:
Contract Purchaser X

APPLICANT: Aspen Heights, LLC

MAILING ADDRESS: 1301 S. Capital of Texas Hwy, Suite B-201, Austin, TX 78746 EMAIL: rfetgatter@myaspenheights.com

CONTACT PERSON: Ryan Feltgatter DAYTIME PHONE: (512) 369-3030 x311

Send notices to you? Yes If so, include postal and email address: 566 E. Market St., Harrisonburg, VA 22801;

DICK JOHNSON dick@blackwellengineering.com (540) 432-9555
DICK@BLACKWELLENGINEERING.COM

LOCATION: (N S E W) of (Road Name) Port Republic Road (Route #) 253

approximately 0.25 miles/feet (N S E W) of (Road Name) Port Republic Road STONE SPRING

(Route #) 253 726 in Election District # 4

TAX MAP(S) #: 125-(A)-L3

PRESENT USE: Undeveloped B-1C/R-3/R-3C

NUMBER OF ACRES IN REZONING REQUEST: 23.1 23.758 FROM B-1C/R-3/R-3C ZONING TO R-5C

INDICATE METHOD OF:

Water Supply

County Water

City Water *

Community System

Well

Cistern

Sewage Disposal

County Sewer

City Sewer *

Community System

Septic System

Alternative (Specify) _____

* If City water and/or sewer are selected, applicant must have full approval by City and County prior to submitting this rezoning application.

Virginia law permits the landowner to offer conditions (proffers) governing the use of the property. The conditions (proffers) would add to, or modify, the use of the property that the landowner is requesting to be rezoned. These conditions (proffers) must be presented to the Community Development Office in letter form.

Aspen Heights, LLC
by Ryan Feltgatter, owner
Signature of Landowner

Rick Blackwell
Signature of Applicant or Agent

Provide the names and complete mailing addresses of all adjoining landowners, including landowners across any road, railroad, stream, or river. Also include any adjoining landowners within the City of Harrisonburg, a town, or in another county. Attach additional sheets, if necessary.

Remember: If the property in this rezoning request adjoins the City of Harrisonburg, a town, or another county, it is your responsibility to supply this office with the names and current addresses of the adjoining properties within the City, town, or other county.

ADDRESS

See attached.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. On the left side, there is a vertical margin line, creating a narrow left margin. The paper appears to be from a notebook or a standard ruled document. There is no handwriting or printed text on the page.

AS APPLICANT FOR THIS REZONING, I

hereby acknowledge that I have faithfully and correctly provided names and complete mailing addresses of all my adjoining property owners and those directly across the street or road. I understand that failure to do so will leave me liable for additional costs for re-advertising and that my request could be delayed until proper notification has been given to all adjoining property owners.

Applicant L. L. Harland
Agent

Date:

1/6/12

RECEIPT OF PAYMENT

Receipt Number: 2012010073
Receipt Date: 01/10/2012
Date Paid: 01/10/2012
Full Amount: \$1,350.00

| | | | |
|------------------|----------------|-----------------|--------------|
| Payment Details: | Payment Method | Amount Tendered | Check Number |
| | Check | \$1,350.00 | 28007 |

Amount Tendered: \$1,350.00
Change / Overage: \$0.00
Contact: BLACKWELL ENGINEERING, Address: 566 E MARKET ST HARRISONBURG VA 22801

FEE DETAILS:

| Fee Description | Reference Number | Amount Owling | Amount Paid |
|-------------------------------|------------------------|---------------|-------------|
| Rezone Multi-Family/Acre | PLREZ20120000000 10 | \$1,275.00 | \$1,275.00 |
| Fire and Rescue Planning \$75 | PLREZ20120000000 10 | \$75.00 | \$75.00 |

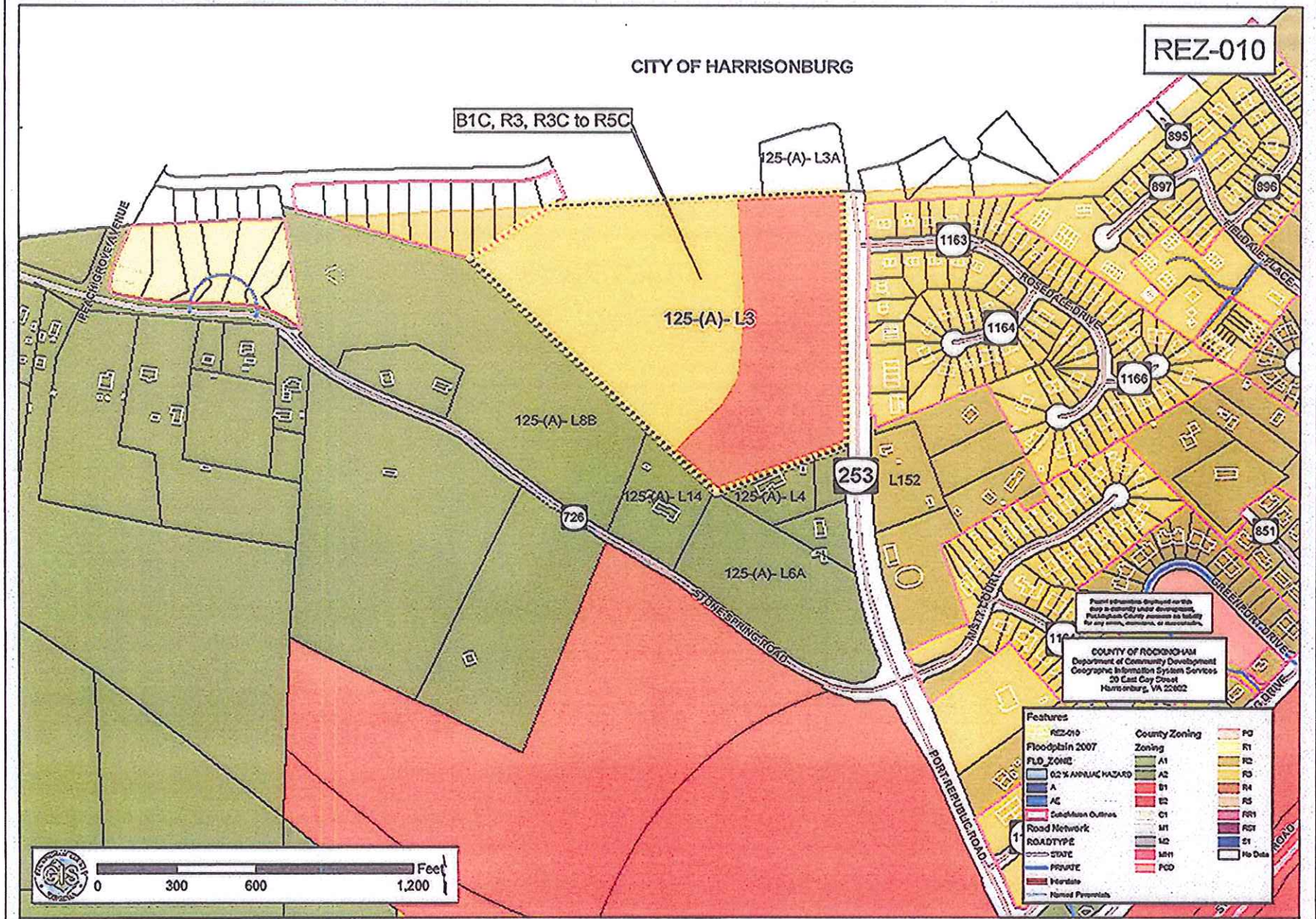
PROPERTY PROPOSED TO BE REZONED

| TM# | ZONING | | ADDRESS | OWNER | OWNER ADDRESS | | ACRES |
|----------|---------|-------------|--------------------|------------------------------|---------------|-----------------------|-------|
| | Current | Rezoned as: | | | | | |
| 125-A-L3 | B-1 | R-5 | PORT REPUBLIC ROAD | MOUNTAIN VIEW APARTMENTS LLC | P.O. BOX 64 | BRIDGEWATER, VA 22812 | 23.1± |

ADJACENT PROPERTIES

| | TM# | ZONING | ADDRESS | OWNER | OWNER ADDRESS | CITY |
|-----------|----------------|--------|-------------------------|---|------------------------------|------------------------|
| 1 COUNTY | 125G-1-B A L1 | R-3 | PORT REPUBLIC ROAD | ROBERT & THERESA WEASE | 22 LAUREL ST. | HARRISONBURG, VA 22801 |
| 2 COUNTY | 125G-1-B B L8 | R-3 | PORT REPUBLIC ROAD | CHRISTOPHEL PROPERTIES VA | 930 OAK HILL DR. | HARRISONBURG, VA 22801 |
| 3 COUNTY | 125G-1-B B L9 | R-3 | PORT REPUBLIC ROAD | VIRGINIA DARE PROPERTIES C/O CHRISTOPHEL PROPERTIES VA | 930 OAK HILL DR. | HARRISONBURG, VA 22801 |
| 4 COUNTY | 125G-1-B B L10 | R-3 | PORT REPUBLIC ROAD | VIRGINIA DARE PROPERTIES C/O CHRISTOPHEL PROPERTIES VA | 930 OAK HILL DR. | HARRISONBURG, VA 22801 |
| 5 COUNTY | 125G-2-B B L4A | R-3 | 1188 PORT REPUBLIC ROAD | RODNEY & SYLVIA EAGLE J KENNETH & C LARRIE KLINE | 1188 PORT REPUBLIC ROAD | HARRISONBURG, VA 22801 |
| 6 COUNTY | 125G-2-B B L4 | R-3 | PORT REPUBLIC ROAD | LARRY MARTIN & JEAN TROYER | 1613 MASSANETTA SPRINGS ROAD | HARRISONBURG, VA 22801 |
| 7 COUNTY | 125G-2-B B L2 | R-3 | PORT REPUBLIC ROAD | LARRY MARTIN & JEAN TROYER | 1613 MASSANETTA SPRINGS ROAD | HARRISONBURG, VA 22801 |
| 8 COUNTY | 125G-2-B B L1 | R-3 | PORT REPUBLIC ROAD | WARREN STREET LLC | 613 LOCUST HILL DRIVE | HARRISONBURG, VA 22801 |
| 9 COUNTY | 125-A-L152 | R-2 | 1721 PORT REPUBLIC ROAD | PAUL JOHNSON | 1721 PORT REPUBLIC ROAD | HARRISONBURG, VA 22801 |
| 10 COUNTY | 125-A-L5 | A-2 | PORT REPUBLIC ROAD | RALPH L & PATRICIA D HOUSDEN | 3669 SHEN LAKE DRIVE | HARRISONBURG, VA 22801 |
| 11 COUNTY | 125-A-L4 | A-2 | PORT REPUBLIC ROAD | RALPH L & PATRICIA D HOUSDEN | 3669 SHEN LAKE DRIVE | HARRISONBURG, VA 22801 |
| 12 COUNTY | 125-A-L6A | A-2 | PORT REPUBLIC ROAD | KKB LLC | P.O. BOX 2037 | HARRISONBURG, VA 22801 |
| 13 COUNTY | 125-A-L14 | A-2 | 1577 STONE SPRING ROAD | JANET D HARTMAN | 1577 STONE SPRING ROAD | HARRISONBURG, VA 22801 |
| 14 COUNTY | 125-A-L8B | A-2 | 1395 STONE SPRING ROAD | RAINBOW END LLC C/O VIRGINIA WOOLF | 1395 STONE SPRING ROAD | HARRISONBURG, VA 22801 |
| 15 COUNTY | 125K-1-L K 8 | R-3 | 1231 KING EDWARDS WAY | FRANCIS J MORAN | 1231 KING EDWARDS WAY | HARRISONBURG, VA 22801 |
| 16 COUNTY | 125K-1-L K 9 | R-3 | 1241 KING EDWARDS WAY | EKASAK & SHOTINUN WONGSTRIKUL | 1241 KING EDWARDS WAY | HARRISONBURG, VA 22801 |
| 17 COUNTY | 125K-1-L K 10 | R-3 | 1251 KING EDWARDS WAY | STEVEN A ROADCAP | 1251 KING EDWARDS WAY | HARRISONBURG, VA 22801 |
| 18 COUNTY | 125K-1-L K 11 | R-3 | 1261 KING EDWARDS WAY | MARK R WHALEN | 1261 KING EDWARDS WAY | HARRISONBURG, VA 22801 |
| 19 COUNTY | 125-1-L K 12 | R-3 | 1271 KING EDWARDS WAY | RYAN M SODIKOFF | 1271 KING EDWARDS WAY | HARRISONBURG, VA 22801 |
| 15 CITY | 91-K-8 | RES. | 1231 KING EDWARDS WAY | FRANCIS J MORAN | 1231 KING EDWARDS WAY | HARRISONBURG, VA 22801 |
| 16 CITY | 91-K-9 | RES. | 1241 KING EDWARDS WAY | EKASAK & SHOTINUN WONGSTRIKUL | 1241 KING EDWARDS WAY | HARRISONBURG, VA 22801 |
| 17 CITY | 91-K-10 | RES. | 1251 KING EDWARDS WAY | STEVEN A ROADCAP | 1251 KING EDWARDS WAY | HARRISONBURG, VA 22801 |
| 18 CITY | 91-K-11 | RES. | 1261 KING EDWARDS WAY | MARK R WHALEN | 1261 KING EDWARDS WAY | HARRISONBURG, VA 22801 |
| 19 CITY | 91-K-12 | RES. | 1271 KING EDWARDS WAY | RYAN M SODIKOFF | 1271 KING EDWARDS WAY | HARRISONBURG, VA 22801 |
| 20 CITY | 8-J-2 | R-1 | SKYLARK LANE | MOUNTAIN VIEW APARTMENTS LLC | P.O. BOX 64 | BRIDGEWATER, VA 22812 |
| 21 CITY | 88-I-1 | R-1 | WINE DRIVE | MOUNTAIN VIEW APARTMENTS LLC | P.O. BOX 64 | BRIDGEWATER, VA 22812 |
| 22 CITY | 88-I-2 | R-1 | WINE DRIVE | MOUNTAIN VIEW APARTMENTS LLC | P.O. BOX 64 | BRIDGEWATER, VA 22812 |
| 23 CITY | 88-I-3 | R-1 | 1335 WINE DRIVE | PAT A HARROLD | 1335 WINE DRIVE | HARRISONBURG, VA 22801 |
| 24 CITY | 88-I-4 | R-1 | WINE DRIVE | MOUNTAIN VIEW APARTMENTS LLC | P.O. BOX 64 | BRIDGEWATER, VA 22812 |
| 25 CITY | 88-I-5 | R-1 | WINE DRIVE | MOUNTAIN VIEW APARTMENTS LLC | P.O. BOX 64 | BRIDGEWATER, VA 22812 |
| 26 CITY | 88-I-6 | R-1 | WINE DRIVE | MOUNTAIN VIEW APARTMENTS LLC | P.O. BOX 64 | BRIDGEWATER, VA 22812 |
| 27 CITY | 88-I-7 | R-3C | WINE DRIVE | MOUNTAIN VIEW APARTMENTS LLC | P.O. BOX 64 | BRIDGEWATER, VA 22812 |
| 28 CITY | 88-I-8 | R-3C | WINE DRIVE | RICK ALLEN STOUGH | 1934 PARK ROAD | HARRISONBURG, VA 22802 |
| 29 CITY | 88-E-1 | R-1 | 1430 PORT REPUBLIC ROAD | WILLIAM & DEBRA SMITH | 1430 PORT REPUBLIC ROAD | HARRISONBURG, VA 22801 |

PC Hearing Date: 4/03/2012
BOS Hearing Date: 4/25/2012



Master Plan
For
Aspen Heights – Harrisonburg

A Planned R-5 Residential Community
For College Students
Port Republic Road
Rockingham County, Virginia

Aspen Heights,
Rockingham County Tax Parcel 125-(A)-L3

March 2, 2012

Project Development Objectives and Character

Aspen Heights will be a gated neighborhood of Colorado-style craftsman homes with luxury amenities such as a community clubhouse (planned to include a small movie theater and fitness center for residents), outdoor swimming pool, and sport court. The layout and architecture are that of a residential neighborhood with open space, common areas, and amenities. Housing types will include a mix of detached homes, duplexes and townhomes.

Aspen Heights is a gated-community with keypad entry and weekend on-site security patrol to ensure order and safety.

What distinguishes Aspen Heights from other high-end residential communities is that its residents will be college students who prefer the security, style and comfort of a gated neighborhood to the traditional apartment complexes that house students in the City of Harrisonburg. Aspen Heights has used this model with great success in other states, and is hoping to bring its unique vision of student housing to Rockingham County.

Approximate Development Schedule

Construction of Aspen Heights is planned to begin during the summer of 2012 with all units and amenities completed for occupancy and use in August 2013, prior to the 2013-2014 JMU academic year. This schedule is dependent upon the rezoning of the land and approval of the site plans by late spring of 2012.

Proposed Building Architecture and Construction

The included building elevations and floor plans are shown in the Appendix as examples of the buildings that will be constructed. These are typical of the residential housing – cottages, duplexes,

and townhouse buildings. All units will be two-stories in height and have more living space than the standard student apartment.

As seen in the Appendix, the exterior of the buildings will vary in color and design. All units have spacious floor plans, and each bedroom has a private bath and a walk-in closet. Units have front porches with swings and/or front balconies, and landscaping along the lines of what you expect in a residential housing community.

Quality materials, such as HardiePlank® siding and shingles or cedar-shake, stone or brick, plus granite tile countertops help ensure sustainable quality and low maintenance.

Each unit is furnished with a fully-equipped kitchen, washer and dryer, internet connections, ceiling fans, and other amenities. Ceiling heights range from 8' 3 ½" to 9' producing a more spacious feel.

Management Plan

The property will be operated as a leased community, with an on-site management office having regular office hours as well as after-hours emergency service. On-site security patrol will be provided during weekends. Trash removal will be provided by private contract, with dumpsters strategically located within the community. Maintenance of the Property, including dwellings, clubhouse, private streets, landscaping and other amenities, will be in keeping with a high-end residential community.

March 2, 2012

Board of Supervisors
Rockingham County
20 East Gay Street
Harrisonburg, VA 22802

RE: Aspen Heights – TM 125-(A)-L3 23.1 acres
Rezone from B-1C, R-3, and R-3C to R-5

Dear Supervisors:

Along with the rezoning request for the above-referenced property being Tax Parcel 125-A-3 (the "Property"), the following proffers are voluntarily submitted, in lieu of any and all other proffers:

1. The entrances to the Property shall be constructed according to applicable VDOT requirements, and may vary in location, number and scope from what is shown on the attached Master Plan layout if approved by VDOT and the County as part of site plan approval process. The emergency road connection to Skylark Lane/Wine Drive shall be restricted to emergency vehicles only. Internal roadways shall be private, with no public maintenance obligations.
2. The attached Master Plan layout showing the proposed roads, residences, and ponds shall generally be followed. Adjustments during the design phase may be necessary, but the basic layout shall be maintained.
3. Density of development of the Property shall not exceed one hundred eight four (184) dwelling units. The architectural style and quality of exterior finish for the dwelling units are defined in accompanying documents. To the greatest extent possible, residences closest and parallel to the property boundary with Ashby Meadows, Section One or the property boundary with Rockingham County tax parcel 125-A-L14 (currently owned by Janet Hartman) and with Rockingham County tax parcel 152-A-L4 (currently owned by Ralph and Patricia Housden) shall be oriented so that the rear of the residential unit (rather than its front) faces the property boundary line, except in corners where a side of a dwelling rather than its front or rear necessarily faces the adjoining property line.
4. All dwelling units shall be served by County water connection installed by the developer to County standards and by City sewer connection installed by the developer to City standards.
5. Applicant voluntarily proffers to design and construct, at its expense, to VDOT standards, the improvements to Port Republic Road at the primary entrance to the Property as shown on the Master Plan, to provide left and right turn lanes within the existing right of way and median/turn lane area of Port Republic Road, such improvements to be in place prior to occupancy of the project by residents.
6. At least thirty percent (30%) of the total area of the Property shall be open space (including the ponds and yards/landscaped areas). Landscaped areas shall be oriented to provide reasonable vegetative

buffers to adjoining properties in consultation with neighbors, in keeping with sound landscaping practices typical of residential communities in Rockingham County, as well as the guidelines and limitations imposed by the holders of any easements affecting the property.

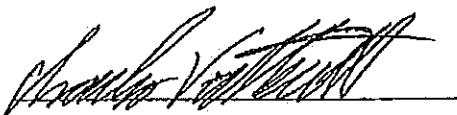
7. The owner of the Property shall provide after-hours security services Thursday evening through Sunday morning.
8. Along the northern boundary of the property bordering platted lots in Ashby Meadows, Section One, a fence will be installed for the purpose of providing a physical and visual barrier between the project and residences in Ashby Meadows. The exact location and materials will be determined in compliance with the guidelines of Dominion Virginia Power (see Master Plan Appendix for current guidelines), which holds a powerline easement along that property boundary – but the fence will be in the style of a customary residential fence restricting visibility and affording a physical barrier to access. Locked gates may be included if and as required to meet the requirements of Dominion Virginia Power for access to its lines. Such fence will not extend across the paved emergency access, to ensure emergency vehicle accessibility.
9. Customary Residential-style fence restricting visibility and affording a physical barrier to access shall be installed along the boundaries of the project with Rockingham County tax parcel 125-A-L14 currently owned by Janet Hartman and with Rockingham County tax parcel 152-A-L4 currently owned by Ralph and Patricia Housden. Applicant will take into account reasonable input from these adjoining property owners in determining the style of the fence, to the greatest extent practical.
10. As part of development of the project, Applicant will construct at its expense a six foot (6') wide bicycle lane along the main private drive. Secure bicycle racks will be provided in several locations within the community.
11. When a bus stop is approved by the Harrisonburg Department of Public Transportation, Applicant will provide a bus stop for the project's residents, with the location and design of the bus stop coordinated with VDOT, Rockingham County Planning Director, and Harrisonburg Department of Public Transportation.
12. Applicant agrees to remove the existing pipe fence along Port Republic Road's boundary with the project, subject to approval of such removal by VDOT and the granting of all necessary grading easements by adjoining property owners to facilitate such work.

These proffered conditions, if approved by Rockingham County, will become part of the zoning of the Property, will replace all now-existing proffers, and will continue with the Property if there is a change in ownership. Once adopted, these conditions may be changed through a rezoning request to Rockingham County.

Sincerely,

Aspen Heights

By

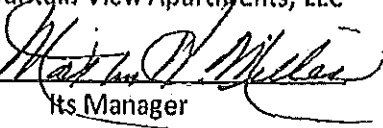


Charlie Vatterott
Executive Vice President, Development

Mountain View Apartments, LLC joins in this Application and proffer letter to evidence its consent and agreement, as owner of the property, to be bound by the zoning and proffers upon approval thereof by Rockingham County.

Mountain View Apartments, LLC

BY:


Its Manager

REZONING REVIEW PACKAGE
ROCKINGHAM COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

SECTION 1 OF 2 – PRELIMINARY REVIEW WORKSHEET

Section 1 must be completed, signed, and returned to County staff prior to scheduling a preliminary review meeting. The purpose of the preliminary review meeting is to gather an understanding of the proposal and to discuss matters pertinent to the proposed rezoning.

The applicant will be contacted within three business days of receipt of Section 1.

A. General Information

1. Project Name: Aspen Heights Date: 12-12-11

2. Tax map Identification number(s) 125-(A)-L3

3. Property owner's name(s) Mountain View Apartments, LLC

4. Are you the owner of the property? Yes ☐ No ☒

If not, please provide documentation reflecting your authority or control of this property.

5. Property address Port Republic Road, Harrisonburg, VA 22801

6. Number of acres included in project 23.1

If the proposal is a portion of a larger parcel, please attach a sketch showing the relationship.

7. Please explain in detail how the property and existing buildings are currently being used.

Property is currently undeveloped.

REZONING REVIEW PACKAGE
ROCKINGHAM COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

B. Proposed Use

8. Please describe in detail the proposed use(s) for the property.
It is being proposed to construct up to 184 residential units for use as
student housing with 680± beds.

9. Please indicate your plans for the property by checking all land use types and corresponding zoning types that apply. Please refer to the Rockingham County Zoning Ordinance for details regarding the zoning districts. The Zoning Ordinance can be found at www.rockinghamcountva.gov.
- | | |
|---|---|
| a. <input checked="" type="checkbox"/> Homes (R1, R2, R3, R5) | e. <input type="checkbox"/> Industrial (M1, M2) |
| b. <input type="checkbox"/> Business (B1, B2, PCD) | f. <input type="checkbox"/> Agricultural (A1, A2) |
| c. <input type="checkbox"/> Office (B1, B2, PCD) | g. <input type="checkbox"/> Other. Please specify: _____ |
| d. <input type="checkbox"/> Retail (B1, B2, PCD) | |
10. Please indicate the Comprehensive Plan land use designation for the property by checking all those that apply. Please refer to the Rockingham County Comprehensive Plan for details regarding land use designations. The Comprehensive Plan can be found at www.rockinghamcountyva.gov.
- | | |
|---|---|
| a. <input checked="" type="checkbox"/> Agricultural Reserve | e. <input type="checkbox"/> Mixed Use Center |
| b. <input type="checkbox"/> Community Residential | f. <input type="checkbox"/> Other. Please specify: _____ |
| c. <input type="checkbox"/> Industrial | |
| d. <input type="checkbox"/> Commercial | |
11. Is the proposed property inside the Urban Growth Area boundary? Yes / No

| Please Complete and Sign | |
|--|-------------------------------|
| Signature of Person Completing Worksheet | <i>Dick Blackwell</i> |
| Printed Name | Dick Blackwell |
| Date | 12-12-11 |
| Daytime Contact Number | 540 432-9555 |
| Email | dick@blackwellengineering.com |

| For County Use Only | |
|---------------------------|--|
| Date Received: | |
| Staff Name: | |
| Signature: | |
| Preliminary Meeting Date: | |

END OF SECTION 1

REZONING REVIEW PACKAGE
ROCKINGHAM COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

SECTION 2 OF 2 – FORMAL REVIEW WORKSHEET

Section 2 must be completed, signed, and returned to County staff prior to scheduling a formal review meeting. A formal review meeting will be held to ensure that there is a complete understanding of the proposal by all agencies and departments involved in the review and to discuss pertinent issues that will need to be addressed by the applicant.

The applicant will be contacted within three business days of receipt of Sections 1 and 2.

A. Proposed Project

Please answer the following questions that best apply to the proposed project. If the proposed project is a combination of different uses, answer all that apply.

1. Project Name: Aspen Heights
2. If it is a residential project, please indicate the number of dwelling units by housing type.

| Type | # of Units |
|------------------------------------|------------|
| a. Single-family detached | |
| b. Single-family attached (duplex) | |
| c. Townhouse | |
| d. Multi-family | |
| e. Apartments (Condominium) | |
| f. Other | 184 |

3. If the proposed project is planned to be developed in a phased pattern or over multiple years, please indicate the number of units proposed per year.

| Year | Number of Units |
|------|-----------------|
| 1 | 184 |
| 2 | |
| 3 | |
| 4 | |
| 5 | |

4. If it is a commercial project, please indicate the number of buildings and their square footage beside the type of commercial use.

| Type | Number of Buildings | Square Footage |
|--------------------------|---------------------|----------------|
| a. Retail | | |
| b. Office | | |
| c. Food Establishment | | |
| d. Automobile Enterprise | | |
| e. Other | | |

REZONING REVIEW PACKAGE
ROCKINGHAM COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

B. Traffic

5. List all roadways that are currently being used to access the property.

| Road Name | State Route Number |
|--------------------|--------------------|
| Port Republic Road | Route 253 |
| Wine Drive | |
| | |
| | |

6. Please indicate the amount of traffic the project would be expected to produce.

a. Vehicle trips per day (VPD) 2,129

b. Vehicle trips per peak hour (VPH): 167

7. Please provide a sketch of any new roadways to be built in conjunction with the project.
8. Please list any proposed upgrades or improvements that would be planned in conjunction with the project.

| Road Name | Upgrades or Improvements |
|--------------------|---|
| Port Republic Road | Possibly construct westbound left turn lane into site. |
| Port Republic Road | Possibly construct eastbound right turn lane into site. |
| | |

C. Water and Sewer

9. Does the property currently use Rockingham County water and/or sewer services?

a. County water: Yes ☐ No ☒

b. County Sewer: Yes ☐ No ☒

c. Other _____

10. How does the proposed project plan to meet its water and sewer service needs? Circle those that apply.

- a. County water
b. County Sewer
c. Well
d. Septic

- e. Alternative waster system
f. City of Harrisonburg water
g. City of Harrisonburg sewer
h. Town water
i. Town sewer

REZONING REVIEW PACKAGE
ROCKINGHAM COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

11. Please indicate the estimated water and sewer usage for the project in gallons per day (gpd).

a. Water 55,200 gpd

b. Sewer 55,200 gpd

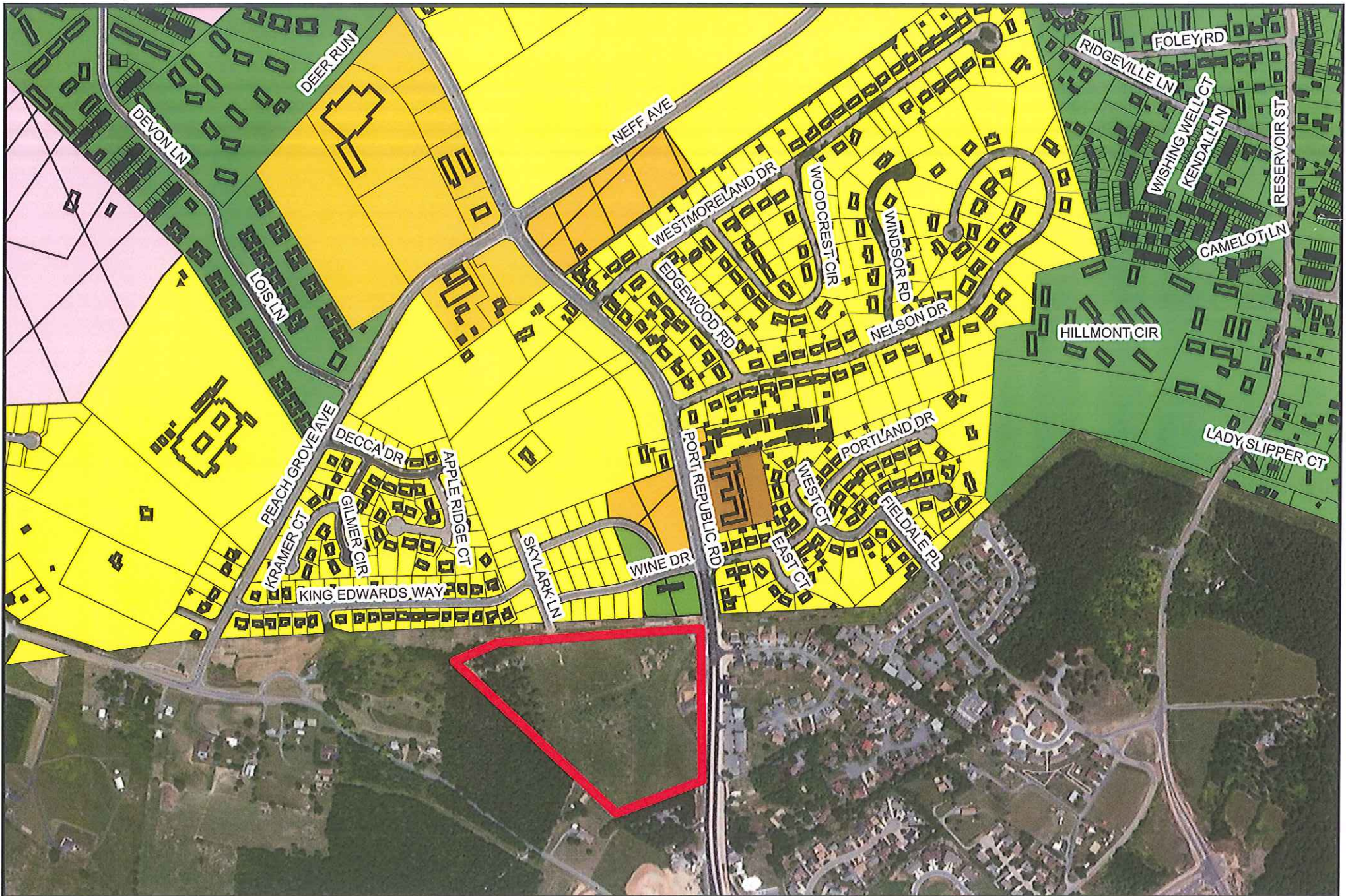
12. Please indicate the estimated fire flow calculations for the project.

1,500 GPM

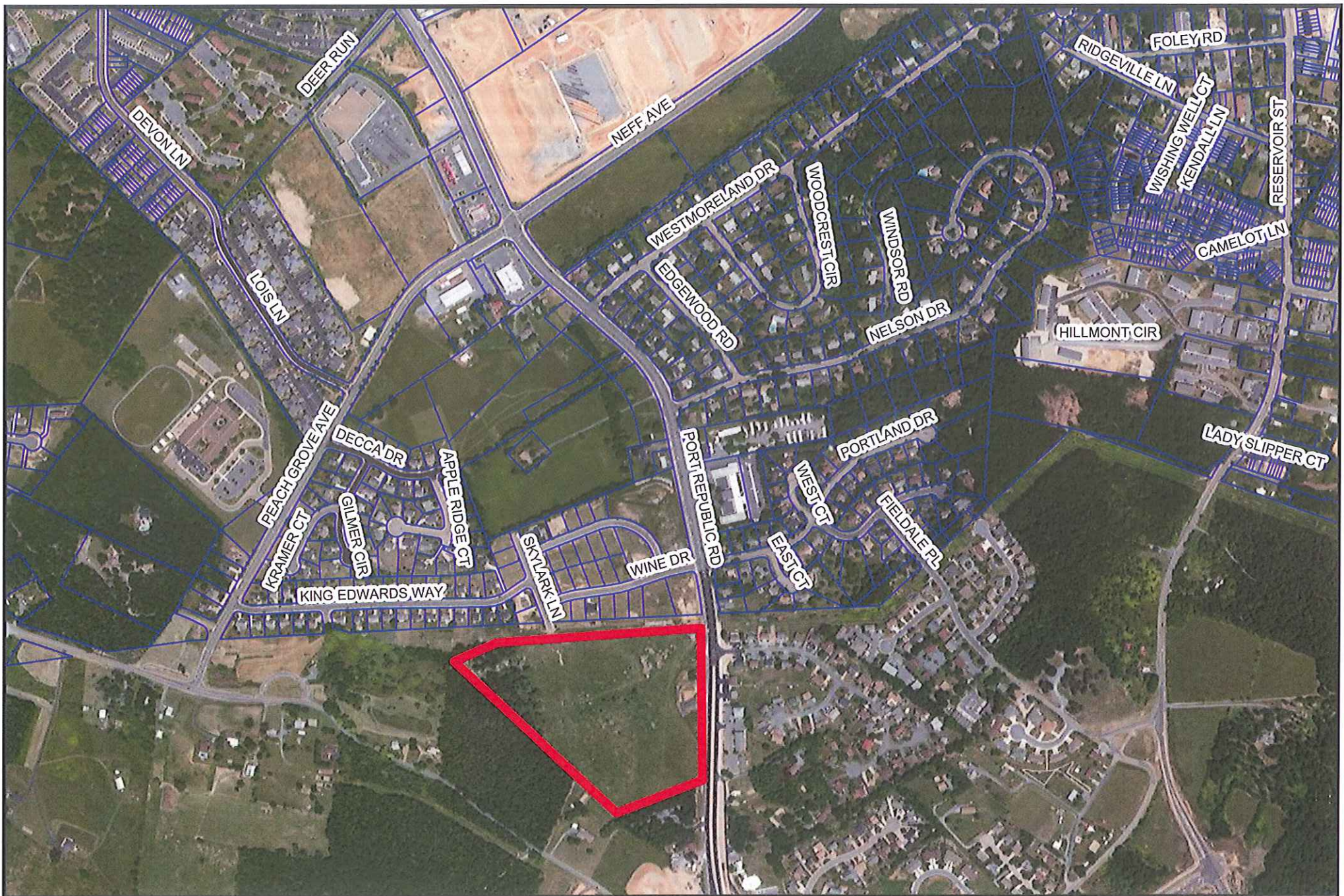
| Please Complete and Sign | |
|---|-------------------------------|
| Signature of Person Completing Worksheet: | <i>Dick Blackwell</i> |
| Printed Name: | Dick Blackwell |
| Date: | 12-12-11 |
| Daytime Contact Number: | 640-432-9555 |
| Email: | dick@blackwellengineering.com |

| For County Use Only | |
|---------------------------|--|
| Date Received: | |
| Staff Name: | |
| Signature: | |
| Preliminary Meeting Date: | |
| Formal Meeting Date: | |

END OF SECTION 2



Rockingham County Rezoning for Student Housing



Rockingham County Rezoning for Student Housing



COUNTY of ROCKINGHAM

Department of Community Development

William L. Vaughn
Director

May 4, 2010

Robert Cook
P.O. Box 24
Bridgewater, VA 22812

Dear Mr. Cook:

At the regular meeting of the Rockingham County Board of Supervisors held on April 28, 2010, your request for rezoning 10.04 acres from A-2 (General Agricultural) to B1-C (General Business with conditions), 11.68 acres from A2 (General Agricultural) to R3-C (General Residential with conditions), and .47-acres from R3 (General Residential) to B1-C (General Business with conditions) on tax parcel 125-(A)-L3 was approved, with the following proffers:

Re: Ashby Meadows (B1)

1. Only one access shall be allowed from Port Republic Road. The access shall be located opposite of Rosedale Drive.
2. For the entrance from Port Republic Road, a signal warrant analysis shall be performed by the developer when required by VDOT. When the warrants are met, the developer or the owners of lots served by the entrance shall design and install a traffic signal at their expense.
3. Not less than fifteen (15) percent of the total B1 acreage shall be devoted to open space.
4. At least two-thirds of the required fifteen (15) percent of open space shall have slopes of less than a twenty (20) percent grade.
5. A strip of land, not less than twenty-five (25) feet wide, shall be located along the perimeter of the B1 zoned property where the subject property adjoins any other zoning district. This strip shall be landscaped and maintained to provide screening as defined in the Rockingham County Code in effect when first building permit is issued. No such strip shall be required where the subject property adjoins the Port Republic Road right-of-way.
6. The project shall have a Property Owners' Association responsible for architectural control, parking, landscaping, signs, storm water management maintenance.
7. All parking lots shall contain interior and perimeter planting areas, which include not less than one (1) shade tree, at least two (2) inches in caliper and having a clear trunk height of at least five (5) feet, for every eight (8) spaces of impervious parking surface.
8. Planting Islands, a minimum of nine (9) feet wide, shall be provided between every fifteen (15) to twenty (20) spaces. Each of these planting islands shall have a least one (1) shade tree, at least two (2) inches in caliper and having a clear trunk height of at least five (5) feet.
9. All buildings to be of brick, stone or stucco or a combination.
10. All buildings to be designed to have two fronts. One front shall face east towards Port Republic Road. The other front shall face west.
11. No individual lots shall have access to Port Republic Road.
12. For lots which front on Port Republic Road, all off-street parking shall be located on the side of the building or in the rear of the building, between the building and Port Republic Road.
13. The following uses shall be prohibited in the B1 area: fruit packing plant; golf driving range; auto sales lot; auto service station, vehicular fuel pumps; auto dealership; public garage; bus station; sale of travel trailers, manufactured homes, campers; water filling station,

- natural source; water hauling; machine, welding, or blacksmith shop; machinery sales and service; monument works and sales.
14. Mountain View Property Rezoning conceptual sketch dated July 15, 2009 as submitted; subject to such modifications as are required by topographical, drainage, engineering and related final site plan issues, included, but not limited to street layout, property lines, sidewalk configuration and storm water management.

Re: Ashby Meadows (R3)

1. A connection shall be made to Skylark Lane.
2. A minimum of one street shall connect the B I zoned portion to the adjoining property along the B1's southern border with the parcels more specifically identified as Tax Maps 25-A-L14, 125-A-L6A, and 125-A-L4.
3. A minimum of one street shall connect the R3 zoned portion to the adjoining property along the R3's southwestern border adjoining the parcel more specifically identified as Tax Map No. 125-A-8B.
4. All residential uses shall have covenants and Property Owners' Associations.
5. A strip of land not less than twenty (20) feet wide shall be located along the perimeters of the project when the subject property adjoins single family residential property. No such strip shall be required where single family detached or two unit attached housing adjoin single family housing in the City of Harrisonburg. Any strip shall be landscaped and maintained to provide screening which shall consist of a double staggered row of evergreen trees planted fifteen (15) feet on center or a double staggered row of large growing evergreen shrubs planted ten (10) feet on center which vegetation can be modified to include existing perimeter vegetation or a fence or wall screening provided it shall be a minimum of six (6) feet in height.
6. The project shall have a Property Owners' Association responsible for architectural control, parking, landscaping, signs, stormwater management maintenance.
7. The following shall be prohibited in the R3 area: fraternity or sorority houses, water filling stations, natural sources and water hauling.
8. Any residential units to be constructed in the R3 designated area shall be town houses or two unit attached dwellings. Gross density shall not exceed 9.5 units per acre in the aggregate for the designated area. Construction of no more than 30 dwelling units shall commence in any one calendar year.

Before beginning any construction, a subdivision plat and site plan must be submitted to this office and approved. If you have questions related to the subdivision plat or site plan, please contact John Meck, our Development Review Manager, at 540-564-3030, and if I can be of further assistance, please call.

Sincerely,



Rhonda G. Henderson
Director of Planning

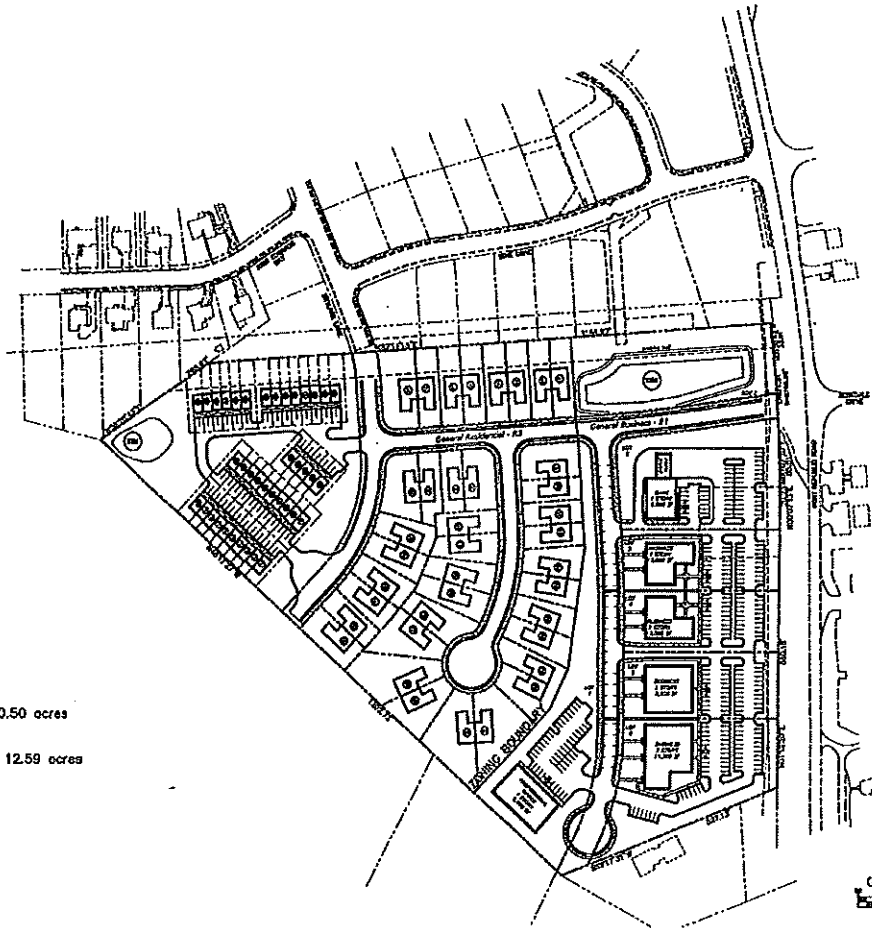
Owner: Mountain View Apartments
 (Bobby Cook)
 TM 125-A-3
 DB 2745/743
 Current Zoning: General Agricultural (A2)
 Total Site Area: 23.09 acres

Area Re-zoned to General Business (B1): 10.50 acres

Area Re-zoned to General Residential (R3): 12.59 acres

38 Two-unit Attached Dwellings ~ 0.65 acres

39 ~ 20'x36' townhouse units ~ 3.94 acres



GRAPHIC SCALE
 1 inch = 50 feet

| | | |
|--|--|-------------|
| MOUNTAIN VIEW PROPERTY Re-zoning Sketch Not Available Road Mountain View, Virginia | | SHEET C1 |
| PREPARED BY: [Signature] DATE: 1/1/00 DRAWN BY: [Signature] DATE: 1/1/00 CHECKED BY: [Signature] DATE: 1/1/00 APPROVED BY: [Signature] DATE: 1/1/00 | | |
| PROJECT NO.: 125-A-3 DB NO.: 2745/743 ZONING: A2, B1, R3 AREA: 23.09 acres SCALE: 1 inch = 50 feet | | |

| <u>Complex</u> | <u>Current Students</u> | <u>% Occupied</u> | <u>Amount of Change Expected for Next Year</u> | <u>Due Date for NB Literature in Move-in Packet</u> | <u>Contact</u> | <u>Route that</u> |
|---|-------------------------|--------------------|--|---|--------------------------|-------------------|
| 865 East | 235 | 86% | 85% now expecting more | 1-Jun | Keris | 7,13,14 |
| Ashby Crossing (University Fields) | 706 | 61.30% | SAME | 1-Aug | Tiffany | 6,12,14 |
| Campus View | 192 | 100% | SAME | NONE | Richard / Troy | 15 |
| Charleston Townhomes | 525 | 100% | SAME | ? | Jen Chapman | 15 |
| Commons | 516 | 98% | 55% Right Now | NONE | | 7,13,14 |
| Copper Beech | 1200 | 100% | 89% now expecting 100% | 1-Jun | | 15 |
| Forest Hills Townhomes | 240 | 100% | 0% | 14-Jun | | Various |
| Foxhill Townhomes | 404 | 100% | 0% | 13-Jun | | 7,13,14 |
| Grand Duke Apts. | 60 | 50% | 50%+ | 1-Jun | ? | 10 |
| Hunters Ridge Townhomes | 156 | ~60% | SAME | NONE | | 6,12 |
| Hunters Ridge Townhomes | 44 | 100% | SAME | NONE | | 6,12 |
| Madison Manor | 116 | 100% | SAME | NONE | Troy | 16 |
| The Mill | 463 | 98% | 100% | 1-Aug | Evan | 10 |
| North 38 | 676 | 92% | 70% expecting more | 1-Jul | Linda | 16 |
| Pheasant Run | 515 | 90% | 90% Now | 15-Jun | Whitney | 10 |
| South View Apts. | 945 | 98% | 75%Now, expect 98% | 1-Aug | | 7,13,14 |
| Squire Hill | 370 | 98% | 450 (22% increase) | 15-May | | 7,13,14 |
| Stone Gate | 642 | 96% | 70% now (expect 96%) | 1-Jul | Britney | 9 |
| Sunchase | 843 | 95% | 85% Now (expect 860) | 1-Jun | Lisa | 8 |
| Village @ Forest Hills | 191 | 100% | SAME | 14-Jun | (not included in totals) | |
| | | | | | | |
| | | | | | | |
| <u>TOTAL</u> | <u>9039</u> | <u>8608</u> | (not counting forest hills) | | | |
| <u>Passenger Totals by Route</u> | | | | | | |
| | 6,12,14 | 906 | | | | |
| | 7,13,14 | 2470 | | | | |
| | 8 | 843 | | | | |
| | 9 | 642 | | | | |
| | 10 | 1038 | | | | |
| | 15 | 1917 | | | | |
| | 16 | 792 | | | | |